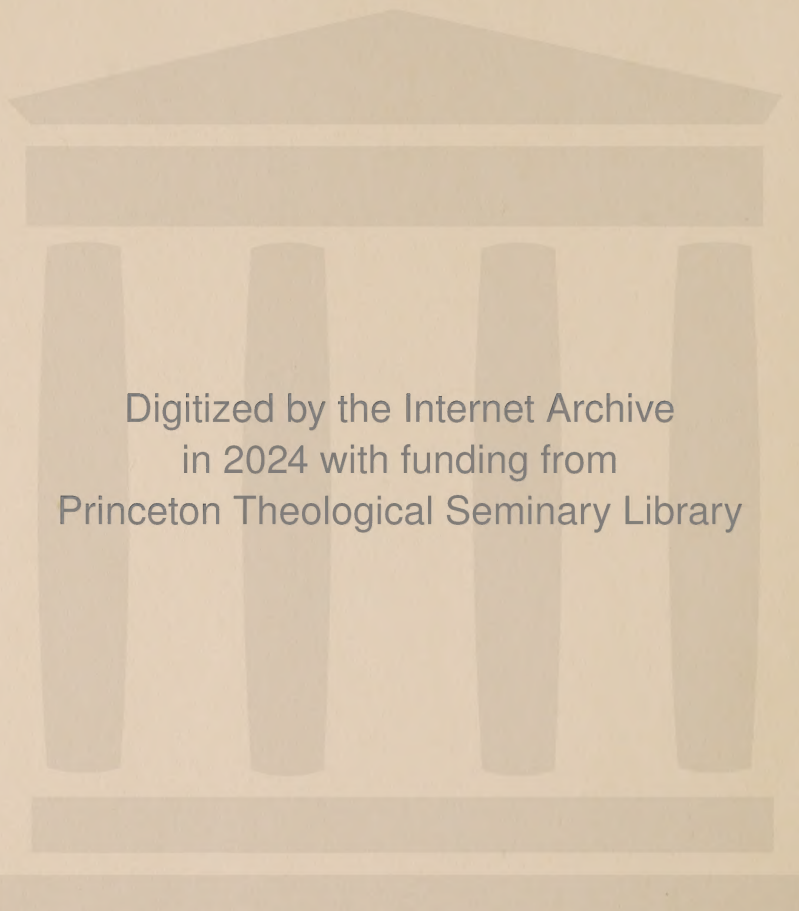


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EDITOR AND PUBLISHER

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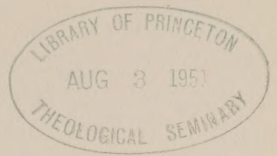
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BELLARMINE'S
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TO
-- BELLOY --
AUTHORITY OF POPE
IN
POLITICS

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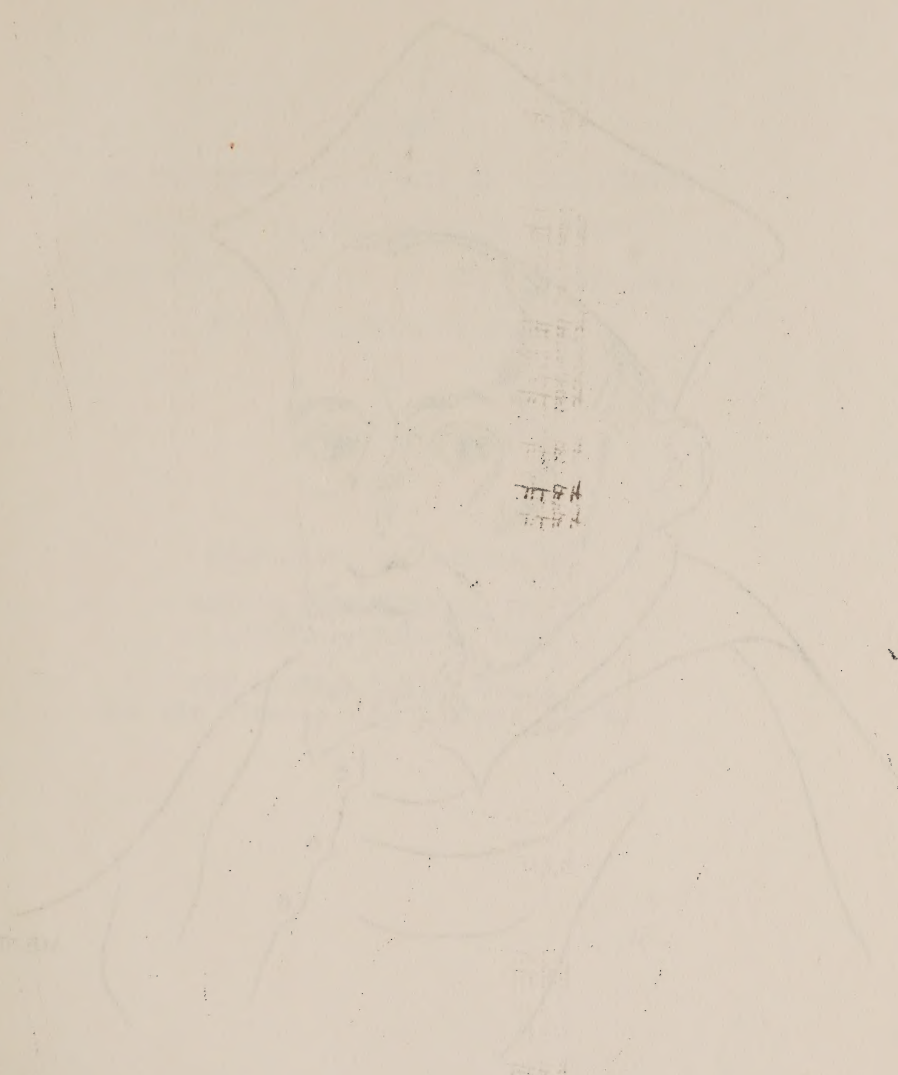
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By Hope Bissland Moore

REPLY
TO THE PRINCIPAL POINTS OF THE ARGUMENT
WHICH IS FALSELY ENTITLED CATHOLIC
FOR THE SUCCESSION OF HENRY OF NAVARRE
TO THE KINGDOM OF FRANCE

BY
FRANCISCO ROMULO

1587

Translated and edited by

GEORGE ALBERT MOORE, Ph. D.
(Colonel, U.S.A., Rtd)

The Country Dollar Press
209 Elm Street, Chevy Chase 15, Md

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facultate praecellenti

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PREFACE

This Reply to Belloy, along with The Pope from Controversy III, the matter on the laity and seculars also from The Controversies, and The Power of the Pope in Temporals, may be said to give the views of Bellarmine on Politics; theory, philosophy, and application to actual life. The translation by Dr. K.E. Murphy takes care of putting the De Laicis into English. This writer hopes to put the other two into English.

The only two copies of this work known are in the Bibliothèque Nationale, Paris. The title page shows no place of publication, nor publisher. Bellarmine used his two middle names on the title page. I believe I have read some place that the Pope desired that in view of the publication of the large amount of material by Bellarmine on this subject just lately in the General Controversies a different name be used in this tract. It is interesting to note that Bellarmine, in his first page of The Power of the Pope in Temporals, took to task the publisher of William Barclay's Power of the Pope for not giving his name, the printer's and the place of publication!

The manuscript of this work has not been located. The Vatican Library, as well as the British Museum and the Bibliothèque Nationale, have no information on this subject. The Catholic Encyclopedia gives the date of publication as 1586; this in connection with a longhand note on the title page of the 1587 edition, that pages 65-80 belong to another edition, may mean that there were at least two.

The rather numerous errors in the book would indicate that Bellarmine did not read the proof. This might point to a place of publication other than Rome, where Bellarmine was at the time of publication. The name Stephanus Balurius appears also in longhand on the title page; and this may be the name of the supposed publisher or printer. Bellarmine himself refers to the work of Franciscus Romulus many times in his Power of the Pope in Temporals, and in Chapter VI says that it was not published in Rome, but in France; just where he does not say: "qua urbe non memini."

Due to the disproportionate costs, delays, and other inconveniences of reproduction by printing, I have cut the stencils and mimeographed this work, thus controlling the complete process.

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SECOND EDITION

The second edition corrects certain errors, principally typographical.

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CURRICULUM VITAE
of
TRANSLATOR AND EDITOR

George Albert Moore was born at Harrisburg, Pennsylvania, December 2, 1893, the son of Alexander Sarch Moore and Sarah Elizabeth Tomlinson. He attended Burroughs Grammar School, Lancaster Township, was graduated from the Lancaster High School in 1910, from Franklin and Marshall College, Lancaster, 1914, with the A.B. degree, and received the A.M. degree from Williams College, Williamstown, Massachusetts, in 1919. He taught school in Oklahoma, Massachusetts and Illinois from 1915 to 1917.

The author entered the Regular Army, from a captaincy in the Illinois National Guard, in 1917 as a second lieutenant of cavalry and passed through the grades, with the usual domestic and foreign staff and command duties in the field, garrison, and the War Department. Colonel Moore served in both World Wars, in Mexico, Hawaii, the Philippines and Europe, and was retired as a colonel, Regular Army, for physical disability in 1945. In World War II, after a tour on the General Staff, he organized, trained, took overseas and operated the Twelfth Replacement (Reinforcement) Depot, the Table of Organization command of a brigadier general, in the Theatre of Operations, having commanded it for over nineteen months.

While on duty in the War Department from 1921 to 1925 the then Captain Moore was managing editor of the Cavalry Journal. During this period he also contributed to a large number of magazines and newspapers. He is at present engaged in the translation and publication of a series of basic foreign language economics and political science source books.

Colonel Moore received the degree of Doctor of Philosophy in course from Georgetown University in 1947.

POSTSCRIPT TO FOREWORD

Since writing the FOREWORD, I have become aware that one of the statements I made there is perhaps incorrect, or certainly at least obscure. Toward the bottom of page xii, I said: "Here, in the only place I know in his generation, Bellarmine speaks of a distinction between the ecclesiastical and political powers; and on the other hand, of a true separation of Church and State." (underlining supplied)

Now, in Bellarmine's treatise, *The Power of the Pope in Temporal Affairs* against William Barclay, recently also translated and published by Dr. G.A. Moore, I realize that in several places he speaks of a true separation of the two societies as against a mere distinction of powers in the same society.

Therefore I welcome the opportunity, in this new edition of this work, to explain a little more fully my meaning in the quotation above.

We have to distinguish between two theories of Church and State in this connection. One is the medieval one, espoused by Bellarmine (indeed considered by him to be the only valid one in his time), by which there was only one Christian society, which he commonly calls "the Church" (we would call it Christendom), and in which there were two distinct functions, the spiritual and the temporal, exercised respectively by the Pope and Bishops on the one hand, and on the other by the Emperor, kings, and princes. The other theory, recognized by Bellarmine as historically possible, but in his time obsolete, at least in Western Europe, recognized two separate societies, the Church and the State, which had not only two different functions, but even different heads.

No one can understand Bellarmine's position, in this treatise, or in his *Power of the Pope*, or his other writings, unless he keeps this essential distinction in mind. All that he says about the deposing powers of the Pope, here and elsewhere, can only be understood in the light of the one-society theory. Once granted that assumption, Bellarmine's logic from there on was unassailable.

The key phrase, used constantly by Bellarmine, one which strikes strangely on our modern ears, was that the Emperor, kings, and princes existed and acted "in the Church." Once that you grant that these temporal functionaries were part of the Church's organism (that there were kings and princes in the Church), there is little difficulty in accepting the rest of his argument.

The difficulty is that even in Bellarmine's time (end of the sixteenth, beginning of the seventeenth, centuries) his histor-

POSTSCRIPT TO FOREWORD

ical assumptions (upon which all political theory is based) had already begun to dissolve. The rise and spread of Islam, the Eastern Schism, the Renaissance, the defection of Northern and Northwest Europe from Catholic unity, the discovery and colonization of India and the New World, the rise and triumph of royal absolutism in England, Spain, and France, all these together had once and for all put an end to the "one-society" theory of the Middle Ages upon which Bellarmine based all his arguments. He was, as I said, in my original FOREWORD, fighting a gallant rearguard action in a losing cause.

In spite of this, however, it seems to me that Bellarmine would find himself quite at home in the modern milieu. He accepted in theory the idea of separation of two societies, when that actually existed. All political theorists write in the context of their contemporary realities, as Bellarmine was convinced that he was doing. Confronted with the fact of actual separation, I am convinced that he would have adjusted his theory to the situation.

Wilfrid Parsons, S.J.

Georgetown University,
February 17, 1950.

FOREWORD

Political scientists are likely to have considerable difficulty in following this argument of Cardinal Bellarmine against the succession of Henry of Navarre unless they keep in mind two points: (1) the essence of the medieval political theory; and (2) the fact that Bellarmine, though writing in the late sixteenth century, still held firmly to this theory, as if it were still valid in his time.

The essence of the medieval political theory did not lie in our modern concept of the State as a separate society from the Church. It conceived of all Christian men as living in one single society, which was variously called sometimes Respublica Christiana, Christian Commonwealth, "the Christian people," sometimes simply "the Church." Our best English word for it is Christendom. In this single Christian society there were two supreme functions or offices: the Priesthood (Sacerdotium), represented at its highest by the Pope, but at lower levels by Bishops and priests; and the Empire (Imperium), represented at its highest by the Holy Roman Emperor, but also at lower levels by kings and princes.

These two functions in Christendom (the Church) had an identical end and purpose: the eternal salvation of all their subjects, and their subjects were assumed to be in all cases the same: the Christian people. The means, however, which these two powers or authorities used for this end, differed essentially; the political power used material and temporal means, the ecclesiastical power used spiritual means. The analogy most used, following St. Gregory Nazianzen and St. Augustine, was the distinction between the body and the soul: the political power served the body, the ecclesiastical power served the soul, of the identical man or woman of Christendom for an identical end: his eternal salvation. The two powers had the same end; only the means which each used differed.

Hence it is a complete anachronism to speak of Church and State in the centuries between the seventh and the early fifteenth. There was no Church and State during that period as we understand them now; namely as two distinct societies, each with its distinct ends: spiritual or temporal happiness, each with its separate heads, Pope or Bishop and king or government. On the contrary, there was but one society—Christendom—with one end, but at its head merely two rulers—spiritual and material—both serving the same end. This fact has been amply shown in fairly recent times by many German and French writers, and in English by the Carlyles and Lord Bryce in Great Britain, and McIlwain in this country.

FOREWORD

Several conclusions follow from what has been called the medieval synthesis. The most important, of course, is that, since "Christendom" was essentially both a spiritual and homogeneous society, the spiritual head of it had precedence over its temporal head in matters which involved religion or morality. The second conclusion was, obviously, that the temporal head must be a believer and practiser of the religion and morality of that society. If he ceased to be either or both, he ceased to be a member of that society, and so clearly could not be its head, since the head and members must be united in faith and practice. The third conclusion was that the spiritual power would have the right and duty of deciding when and if the possessor of the temporal power was really and truly a member of the society as a whole. And finally, as a logical conclusion, if the temporal prince had ceased to believe in or practice the religion and morality of this monolithic society, he could be declared by the spiritual head of it to be no longer a member of it; that is, he could be "excommunicated," no longer a member of the Christian community. It followed inexorably that he could no longer be head of that community, or any part of it, and so could be declared to be deposed since he was no longer a member of it, or excluded as its head. The same would therefore be definitely true of any prince outside the Church who ambitioned a place of precedence within the Church; that is, within the Christian community.

With this background in mind, we are in a position to understand why Cardinal Bellarmine in 1586 wrote his answer to Belloy's pamphlet, in which it was alleged that Henry of Navarre, as he was then, could rightfully succeed to the Crown of France. As the four parts show, Bellarmine had first to prove that the writer was not really a Catholic, but actually a Huguenot. Secondly, he had to show that Huguenots were not Catholics but heretics, outside the Church. In Part Three, which is the heart of the matter, he had to show that a heretic could not rightfully succeed, according to the constitutional law of the time, to any Christian throne; that is, to any political function within the Christian Church. The Fourth Part is an argumentum ad hominem against any heretical or pagan rule over a truly Christian land.

I have said that Part Three is the heart of the matter. In this part I find the kernel to be in Chapter XX: "Pope and Deposition of Rulers." In many ways this chapter will come as a surprise to today's readers of political science. Here, in the only place I know in his generation, Bellarmine speaks of a distinction between the ecclesiastical and political powers; and on the other hand of a true separation of Church and State. I refer to his words as translated here (cf. pp. 42-44). He makes two observations. The first is that the ecclesiastical power, which the Pope holds, and the political power, which the Emperor

FOREWORD

and other kings and princes hold, are distinct in limits and duties. They obviously belong to the same Christian society of which the medieval writers spoke. But he says that there are, however, other cases in which the two societies themselves are separate.

Thus he envisages two different kinds of socio-religious organizations in the world. In the ^{one}, he merely speaks of two different powers. They are distinct, for they employ different means; but they are not separate, for they have the same end. They are two distinct functions in the same society—the Christian Commonwealth. In the other case, Bellarmine instances two possible contingencies, one historical, on contemporary. There was a time when the Church "had no political princes." That, of course, was before Constantine, when the Church and the State, as two different societies, were obviously separate. The theory of freedom of the Church demanded separation. The contemporary instances would seem to be the Mohammedan states in the Near East and Northern Africa, the Buddhist princedoms in India, and even the purely Protestant states of Northern Europe, including Scandinavia.

Now the significant thing about this is that Bellarmine makes no claim that in the second category of states there should be anything but "separate" jurisdictions. It would be stupid if he did otherwise, for a Catholic Church united in a single society under a Mohammedan, a Buddhist, or even a Protestant ruler, would be in a condition of sheer slavery. What Bellarmine is contending here is that France still belongs to the single Christian Commonwealth that had existed in the Middle Ages and consequently was subject to the political theory which that then entailed.

Readers may speculate whether he was fighting a gallant rear-guard action in a losing cause. The medieval concept of one society had already sustained a mortal blow with the rise of the national states in the late thirteenth century. However that may be, we have here probably the last statement of an historical position which the logic of events in the emergence of the modern lay state was soon to render very historical.

Wilfrid Parsons, S.J.

Georgetown University
Washington, D.C.
15 April 1949

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REPLY TO THE PRINCIPAL POINTS OF THE ARGUMENT WHICH
IS FALSELY ENTITLED CATHOLIC FOR THE
SUCCESSION OF HENRY OF
NAVARRE, ETC

PREFACE

There once appeared along with some other heretical booklets an Argument published at Paris by E. D. L. I. C.- thus nominally the author obscurely signified his own name- which the more easily to deceive the incautious is entitled Catholic. There are four parts to this Argument; the first is wholly used in describing the genealogy of the House of Bourbon. The second refutes the two objections made against Henry of Navarre, formerly king, that is, that he was illegitimate and a heretic. The third disproves the third objection, that the same person would be guilty of the crime of treason. Lastly, the fourth embraces the discussion whether the uncle ought to be put ahead of the son of his brother in the law of succession, or not.

Out of these points I thought only those should be treated by me at this time that seem to pertain to the Catholic religion, which the author by a simulation of being very Catholic strives with supreme deceit to overturn, and those that seem to pertain to the bull of the most holy Pope Sixtus V, published very lately against Henry of Navarre, which he in a most pseudo-Catholic manner covertly opposes.

Therefore at this point I shall say nothing on the genealogy of the House of Bourbon, nothing about the marriage of the parents of the same Henry, nothing on the crime of rebellion, and of other matters of the sort that are cast up to him. Moreover, that controversy on the law of succession between the son of the brother and the uncle of the former I shall not even touch upon; for the supreme Shepherd of the Catholic Church did not declare Henry of Navarre spurious and after his uncle in the right of succession, but a manifest heretic and one relapsed into heresy; and under this head he deprived him- whatever finally may come of other matters- of the right of succession, and he declared him incapacitated for the crown of the Most Christian Kings. And it does not seem worthwhile laboriously to discuss the other items, since by this one crime of heresy Navarre very clearly hurled himself from the hope of succession, for the sustaining of which the whole defense was constituted. Further, the author of the apology, in order that he may refute the argument sprung

from the heresy, undertook that three certain things must be shown; first, that for heresy princes cannot be deprived of empire, or right to empire; second, the Huguenots, to which sect the Navarre king belongs, it was not possible to deny are not heretics, or at least not yet in a lawful council of the Church have they been condemned as heretics; lastly, there is no reason why Catholics should fear for their religion and faith, if they should accept Navarre, though a heretic, as king; on the grounds that he, without doubt, will permit each person to enjoy freedom of conscience in religion. And that he may be judged to plead this cause with the very best faith and not with party bias, but impelled only by the truth in writing this defense, everywhere throughout the book he teaches and openly discloses himself a Catholic. So that we may not stand in his tracks, we shall show first that the author of the apology falsely assumes the name of Catholic, since he may be either a heretic, or perhaps even an atheist; second, the sect of the Huguenots, of which Navarre openly by words and deed itself asserts himself to be a professor, is completely heretical, and long since has been condemned by the Catholic Church not just once in lawful and plenary councils; third, heretics by law can either be cast out of empire and kingdom, or deprived of the succession to any kingdom and empire over Catholic peoples by the Apostolic See. We shall add also finally the reasons why these people must be considered not only imprudent but also too little zealous in the Catholic faith, not to say betrayers, who, though they may be able to prevent it, would permit a man, who has been judged and condemned by the Church as a heretic, to ascend the throne.

PART I

CHAPTER I

To make a start with that which we have placed in the prime place, and to uncover the fraud of this pseudo-Catholic— he entitles his Apology thus, Catholic Apology, etc., etc.—presently he begins the preface with these words: "No time ever existed of Christian and Catholic France." And lest we should think the name of Catholic is accepted by him otherwise than we now would accept it who distinguish the Catholic Church from the assemblages of the Lutherans and the Calvinists or Huguenots, the same person a little farther on in the same preface thus discloses himself: "And I indeed am not zealous in this matter so that I may advance that religion which Navarre professes, being one who am and who ever have been a Catholic and who have spent my life under the authority of the Roman Catholic Church." This

is what he said. And in these words not only does he to the word Catholic Church add Roman, but he also very clearly opposes the Catholic Church of Rome, of which he professes himself a son, to this sect which Navarre protects, and therefore while he confirms himself to be of the Roman Catholic faith and Church, he does not speak, as sometimes the Calvinists are wont about the Catholic faith which once existed at Rome, or which even at this time may be there secretly among the Calvinists, but plainly about that which now publicly flourishes and is vigorous at Rome, and which all heretics, and especially with the Huguenots carries on war. He likewise confirms these words in the second part of the Apology, Number 4, page 51: "The sacred decrees of the Catholic Church are full of these decisions, etc."; moreover, he enumerates the decrees of the Roman Popes Evaristus, Marcellus, Nicholas I., Alexander III and Innocent III, from which we understand the author of the Apology to acknowledge as the holy Roman Catholic Church not only that which existed in the first five or six hundred years, which also the Huguenots acknowledge, but also that which existed after the year of the Lord 1200, which of the name of the Catholic Church not only do the Calvinists and the Lutherans deem unworthy, but which they also continually censure as the reign of Anti-Christ. Thither also those matters point that are contained on page 72: "Or did not the supreme diligence and zeal of our Most Christian and Catholic kings satisfy you in aiding their people and in leading them to one single Apostolic Roman religion? What profited us so many fires, slaughters, and battles?" So he speaks, where surely he does not seem to have been able more clearly to signify that this church which now is disquieted by the Huguenot heretics is the only true and Apostolic Catholic Church. For this is the Church of which the Most Christian and powerful kings of the French ever professed themselves to be sons and in favor of which against the Huguenot heretics with flames and sword they piously stormed. Lastly, on page 114 in discussing ecclesiastical ceremonies the author of this Apology says: "And also I do not say this for the reason that I may make accusation against the institution of the ceremonies of our Church which I in the worship of God ordinarily observe." Therefore this Church this author calls his church in which the ceremonies are celebrated which the Huguenots would want removed and in fact in their own articles have taken away. And so up to this time I have demonstrated that the author of the Apology most clearly professes himself a follower of the Catholic religion which now is observed and fostered at Rome.

CHAPTER II

Now from the words of the same person I shall show that he is nothing less than what he lies and feigns that he is; and in the first place in the second part of the Apology, page 71, on the Council of Trent he speaks as follows to the bishops and presbyters of the Catholic Church: "Really this Council of Trent of yours, which you put forward as an excuse and in which you condemn them, is not lawful." Could that man more clearly signify himself most foreign to that religion of which a little before he declared himself a follower and worshiper? For the Roman Catholic Church, quite as a whole, whether you would consider the head, or the members, or the clergy, or the people, or the princes, or the private individuals, all, I say, venerate the faith and dogmas of the Synod of Trent as a legitimate and ecumenical synod. Pope Pius IV himself approved that whole council, did he not, by public letters, which are now extant, and ordered that it be received and observed by all Christians? Do not all the bishops make the profession of faith published by the same Pope Pius IV and according to it swear that they will preach the decrees concerning religion of the Council of Trent and defend them even unto death? Do they not do this very thing as often as they are present in the Catholic Church, either in the congregations or in the gymnasiums? The ambassadors of the Christian princes Emperor Ferdinand, and Kings Charles of France, Philip of Spain, Sebastian of Portugal, and Sigismund of Poland, and the several minor kings, did they not in the last session of the council, when all the decrees were reviewed, represent their own princes and accept in the names of all of them the same decrees? Therefore what sort of a Catholic is he who audaciously repudiates this council, which all princes of the Catholic Church, not only ecclesiastical but also secular, and all their peoples and even the whole Christian world welcome? While the Arian perfidy was once raging, in a like manner among Christians the name of Catholic was used, and the defender of the Nicene Council is so termed, and afterwards when the Eutychians were tearing the Church asunder, they alone were being considered Catholics who were observing the decrees of the Council of Chalcedon. Hence St. Ambrose in Epistle 32 to the younger Valentinian writes as follows: "I follow the formula of the Nicene Council, from which neither death nor the sword will be able to separate me." Also St. Basil in Epistle 28, in which he sets forth his own

faith, commands that by no other mark heretics are to be distinguished from Catholics than by the approval or disapproval of the Synod of Nicaea. Also the Most Holy Pope Leo to pass over meanwhile other fathers-in Epistle 78 to Emperor Leo, says: "They are not at all to be counted among Catholics who do not follow the venerable definitions of the Synod of Nicaea, or the rules of the holy Council of Chalcedon." This same thing clearly at this time is permitted to be said by us of the Council of Trent, and no other note more clearly, and no mark more certainly now distinguishes heretics from Catholics than the approval and defense of the Council of Trent.

CHAPTER III

But let us proceed to other considerations by which may be plainly recognized with how great deceit the author of the Apology has termed himself a Catholic. On page 77 he says: "For the very best counsel, which wise men have given in this case, would be if we would hold for certain that to be religion which brings forward reformation; seeing that if it is not from God and from the precept of His teaching it will perish without war and pass away in smoke, as happened to so many heresies that have preceded us; but if it is in consequence of the plan of the Holy Spirit, we cry out in vain." For He will perfect His own work." To be sure, a remarkable Catholic, who has not yet decided for sure in his own mind whether the sects that are raving with so much madness in the Catholic Church are of the Holy Spirit or not! John Calvin, whom the Huguenots follow as leader and commander, in Institutes, Book IV, Chapter II, Section 1, on the Catholic Church, of which the author of the Apology desires to be considered a member, says: "It is certain that the church does not exist where lie and falsity have seized the power. Since the matter is in this condition in the papacy, one can understand what there is left of the Church. In place of the supper of the Lord the most foul sacrilege has crept in; the public meetings are schools of idolatry and impiety." Thus he spoke. Such things the Huguenots indiscriminately write in books and blab forth in their sermons. Who therefore would believe that he is a Catholic who is in so much doubt the sects of these people are of the Holy Spirit who so horribly vomit forth blasphemies against the Catholic Church that they deny it to be not only the true Church, but also do

not hesitate to call it a school of idolatry and impiety? Also he, who has not yet determined for certain that the sect of Calvin is not of God, necessarily would doubt whether that Church be of God, and from that whether the Church be of God which judged Calvin to be a heretic; moreover, how can he who is of this type be called a Catholic, since he does not yet hold which is the Catholic Church?

CHAPTER IV

But farther that remarkable Catholic now goes, seeing that on page 109 he says that there is one faith, one religion of the Catholics and Calvinists, and from this beginning afterwards on page 124 he gathers that Henry of Navarre is not a heretic, though he publicly professed that he would continue in the sect of Calvin even unto death. Also on page 186 he adds that the same Navarre is a Catholic and pious. "So Catholic (he says) is the prince, so pious and God-fearing, that never would he refuse, etc." Here first I ask how do those things agree with those things which above we have cited from the same author? For in the Preface is found the following: "And indeed I am not zealous in this matter that I may advance that religion, namely, which Navarre professes, as one who am and always have been a Catholic." If you do not want to promote the religion of Navarre because you are a Catholic, therefore that religion is not one with yours and cannot be called Catholic; for otherwise, because you are a Catholic, you could and ought very greatly advance it. But if the religion of Navarre must be said to be neither Catholic, nor one with, nor the same as the Catholic, why is it that now, having forgotten your former words, you say that our religion is one with that of the Calvinists, and that Navarre, a Calvinist, is a Catholic and pious? Then if our religion and faith and that of the Huguenots are one, and they no less than we are called and are Catholics, what is that which on page 71 you were saying, that "the most Christian and Catholic Kings of the French had exerted themselves with supreme zeal, even with fire and sword, to aid their people and to lead them to the one and only Apostolic faith?" What was the need for such great contention, if the religion of all is one? Do you not yet realize how openly throughout the whole Apology you fight with yourself, both while you join heretics with Catholics and make one religion out of those that very intensely fighting against each other, and

that you show yourself to be of no church, of no religion? But you will say, there is one religion of the Catholics and the Huguenots, if dogmas are viewed and the substantial articles of our religion; yet there is not one if the discussion would be on ceremonies which in later times have beyond the Scriptures been carried into the church, For this you write on page 109, where you state that a controversy has been put up between us and the Huguenots only in whether external ceremonies should be retained which in the primitive age of the church were not in use, but which at various times have outside the Scripture been instituted by the Popes. But this we shall discuss more fully in a later chapter; now this only do I urge. If there is only question about ceremonies devised in later times, therefore the Catholic faith and the Apostolic religion are wholly one among the Catholics and Huguenots. For the Catholic faith does not take its name from human ceremonies but from substantial articles which are supported by the word of God; and that is said to be the Apostolic religion which the apostles handed down, and which also flourished in the first age of the Church. And since these things are so, the arguments made a little before return; that is, if the Catholic faith and the apostolic religion of ourselves and of the Huguenots are one, why do you not venture to promote the sect of the Huguenots, as in the preface you declare, because you are a Catholic? And why did the most Christian and Catholic kings of the French with such great effort, with sword and fire, with wars and slaughters, as you said, strive to urge their peoples to the one, only apostolic religion? Therefore from these matters which have been brought up to such a point by us it can easily be perceived that the author of the Apology is not really a Catholic, but that he desired to misuse that splendid term, so that more easily he might impose upon and deceive the more simple men.

PART II

CHAPTER V

But that we may more nearly approach the case- the author of the Apology attempts to demonstrate that Navarre, who he does not deny is a Huguenot, is not a heretic. Indeed, he chiefly effects this by two arguments; first, because discord between the Catholics and the Huguenots is not about the supreme faith but only about external ceremonies, without which the Christians of the primitive age lived and worshiped God. Secondly, because the sect of the Huguenots has not yet been condemned in any lawful convention of the Church; for the Council of Trent is not yet lawful, and it never has been acknowledged by the kings of France. All these are matters which that author puts forward for freeing Navarre from the very grave crime of heresy, in which there are evidently four falsities; first, that the controversy between us and the Huguenots is nothing but about human and external ceremonies; secondly, that the ceremonies which the Huguenots want done away with were not used among the Christians of the early age; thirdly, that the sect of the Huguenots has not yet been condemned by any lawful court of the Church; and fourthly, that the Council of Trent is not yet lawful, and has never been acknowledged by the Kings of France. And if I show by the most sure reasons that all these points are false, I shall bring it about at the same time that Navarre, because he is a heretic, cannot be defended in any way against the charge of heresy.

CHAPTER VI

So then, that the controversy between the Catholics and the Huguenots is not only about external ceremonies but is even about the very chiefest points of our faith is not wanting of

proof. For this in the very first place both parties, not only the Catholic Church itself, but also the sectarians and our adversaries affirm, seeing that the Catholic Church both in the Synod of Trent announced very many opinions to the effect that the heresies of the Lutherans and Calvinists are very pernicious, and at Rome annually at the fifth feast in the Lord's Supper strikes all sectarians in a public judgment with excommunication and interdicts the reading of their books by faithful peoples with a proposed severe penalty; and lastly against all sectarians and especially against Huguenots, as against manifest and ferocious wolves, orders inquiry to be made. All these things very clearly declare what our Catholic Church thinks about the magnitude and gravity of the present controversies. What in truth the Calvinists think could be understood from the words of Calvin cited a little while ago, but I shall not hesitate to add another passage so that the vanity of this arguing impostor may be more clearly apparent. Well then, John Calvin at the beginning of the book on the necessity of reforming the church speaks of those matters which he does not approve in our Catholic Church and to which he pretends that the sum of the present controversies can be reduced. He says: "We say that the chief points of the doctrine in which the truth of our religion, in which the pure and legitimate worship of God, in which salvation is contained, have nearly died out; we say that the practice of the sacraments in many ways has been vitiated and polluted; we say that the government of the Church has been converted into the shape of foul and unbearable tyranny." That is what he said. Do you know, most vane men, that by the testimony of the contenders the controversy is about not only the external and human ceremonies, but about the truth of doctrine, about the worship of God, about the celestial sacraments, about the government of the whole Church? Or is not therefore your audacity clearly incredible and intolerable, you who, though professing to be a law expert, are really both wholly ignorant of and inexperienced in theological matters, and yet would dare to lump the controversies in a word, and to prefer without any testimonies of Scripture, with no authority of councils or fathers, your judgment, though fortified with no reasoning, to the judgment of all theologians, not only Catholic but also Protestant? But let us come to the very articles of the questions and the doctrine of the Church which in the Council of Trent very especially stand out, since we may compare with the remedy of Calvin that same council, so that if perchance our

apologist be blind, he may be able to feel his way along by his very hands, and not to judge on only external ceremonies Catholics along with sectarians. In the fourth session of the council on the number of the canonical Scriptures was determined that very thing which years before in the third Council of Carthage had been decided. Calvin resists in his remedy the books of Tobias, Judith, Ecclesiasticus, Sapientiae, and Maccabees, as he restores the apocryphal ones. Is this to differ on external ceremonies, or rather on a fundamental of the faith? In the fifth session on original sin that very thing the council teaches which 1000 years before the Councils of Millevum and Orange had taught- that original sin, which is brought about by carnal generation, is so destroyed by the spiritual regeneration of baptism that nothing remains in the baptised which would contain any reason for blame. In his remedy Calvin resists and asserts that original sin is so clinging in man that neither by baptism nor by any other could it even up to death be removed. From this start all sectarians of this period gather that men have no merits, no truly just works, that the law of God is impossible, and many other matters of that kind, which sufficiently show that the controversy is not only about external ceremonies but also about the outstanding articles of our faith. In the sixth session on the justification of the impious these matters are handed on which are contained in the Scriptures and fathers very clearly and in great part in the Council of Orange- that free will has not been extinguished but weakened; that not only by faith are men justified; that without baptism in fact or by desire justification happens to no one; that men are justified by inherent grace, not through imputation; that the justified could so fulfil the law of God that he would truly and properly merit eternal life through this obedience; and lastly that grace could be lost through sin, though faith had not been lost. Calvin opposes in his remedy and clearly teaches that free will has been extinguished; that men are justified by faith alone; that without baptism the sons of men can not only be considered just but can enter the kingdom of heaven, even though the Lord said, "Except one shall have been born again of water, etc." and by the imputation of the obedience of Christ they are made just whoever are justified with God, and that the divine law is beyond the strength of all men, even the justified; that there are no merits worthy of the name, since all our works are sinful; that individual faith is the companion of a good conscience, and therefore faith cannot be present where there be an evil conscience.

What will this pseudocatholic adversary say? Are these questions about ceremonies, or conduct of the faith in accordance with the divine law? About indifferent things, or about eternal salvation itself? In the seventh session sacraments are treated; that these were seven in number; that they differ from the sacraments of the old law not only in external rite; and that they were not only instituted for supporting the faith, but they conferred the grace of God in consequence of work performed; that the baptism of John did not have that force that the baptism of Christ had; and it is handed down that there are some other certain matters to be held by faith. Calvin opposes in his remedy; he denies that there are seven sacraments of the new law, and he acknowledges not more than two or three (for indeed it is not very clear to him, as is gathered from Institutes, Book IV, Chapter XIV, Section 20, and Chapter XVIII, Section 20) but these are not distinguished in force and efficacy from the old sacraments, nor do they confer grace by work worked, nor do they effect anything greater than faith supports, and he contends that the baptism of Christ is not different from the baptism of John. And surely these controversies are not concerning human ceremonies but concerning divine sacraments, and not only about ecclesiastical rites but about outstanding aids to our salvation. And up to this point the remedy of Calvin is extended- that if the other matters which in the same council concerning the verity of the body of Christ in the Eucharist, on the sacrifice of the mass, on the sacrament of penitence, about Purgatory, on the invocation of the saints, and about the very many most serious dogmas of our faith we should want to compare with those errors which exist in the Institutes and other commentaries of Calvin on the same matters, what at last will be the outcome? We hold therefore that what the author of the Apology writes on page 109 is false- that the faith of the Catholics and the Huguenots is one, and that there only remains that it be determined and agreed concerning the institution of external ceremonies.

CHAPTER VII

I come to the second point, and though it would not pertain much to our purpose, whether the ecclesiastical ceremonies were in use in the early age of the Church, or whether they were developed in later times, yet because the author of the Apology

affirms on page 109 "that it is agreed among us that in the early age of the Church the Christians lived and solemnly worshipped God without these external ceremonies, which now the Huguenots want done away with," which is very false, I shall show in a few words that most of the ceremonies that the Huguenots reject are very ancient and come down from no other source than from the Apostolic tradition. The great Basil in his book on the Holy Spirit to Amphilochius, in Chapter XVII, enumerates those things that have been handed down by the Apostles and which the Church universally observes; and in the first place he puts the ceremony of marking men with the sign of the cross, which ceremony not less than Satan himself the Huguenots avoid; 2, praying to the east; 3, the words of invocation when the Eucharist is shown; 4, blessing of the baptism water; 5, consecration of the oil; 6, the anointing of those that receive baptism; the other ceremonies of baptism. St. Hieronymous in the letter to Marcellus on the errors of Montanus clearly affirms that the forty day fast was handed down by the Apostles. St. John Chrysostom, in his homily 3 on the Epistle to the Philippians constantly refers to the practice of the Apostles in offering sacrifices for the dead. Origen on Chapter 6 of the Epistle to the Romans says, "the Church got the tradition from the Apostles to give baptism also to infants." Justin Martyr in 2, Apology, near the end, among other rites which he recounts as handed down from the Apostles, places the mixing of water and wine at the sacrament of the altar. Epiphanius in his book on heresy, near the close, in a compendium reports those things which from the most ancient times the Catholic Church has observed and also now diligently observes, and among these he lists perpetual celibacy, the solitary life, various orders of monks, the fast of Lent, the most beloved of foods, sacrifices for the deceased, feast days, and very many things of the samekind; but there is no need longer to tarry over this matter, since our opponent has not offered anything in support of his opinion, and the books of the fathers are filled with testimonies of this type.

CHAPTER VIII

Now indeed that the sect of the Huguenots not just once has been condemned by a public and lawful court of the Church, which was the third of the things that we undertook to prove, we shall show with little trouble. The principal controversy for which

not only to the Catholics but also to the Lutherans the Huguenots are heretics is found in the Lord's Supper. Further this controversy was discussed, adjudged and ended, not only in the Council of Trent, as our opponent feigns, but also in ten more ancient synods of the Catholic Church, partly national, partly general; so that even if the Council of Trent had not been held, still no one would be able to deny that the heresy of the Huguenots has been condemned in a lawful court of the Church of Rome, which our opponent does not deny is the true church. First, there was the Council of Rome under Leo IX, who by the agreement of all was most excellent and holy; in it indeed was condemned the heresy of Berengarius concerning the Lord's Supper, which also Calvin says was his opinion in the last admonition to Joachim of Westphalia, Lanfranc tells in his book against the same Berengarius.

Second, the Council of Vercelli was appointed and held by the same Leo, as likewise Lanfranc reports, and in this council Berengarius took part through certain representatives of his, and in their persons he was likewise confuted and condemned.

Third, the Council of Tours, in which Pope Victor II presided through legates, where Berengarius, being present, was so confounded that he was even forced to the abjuration of his error; which likewise Lanfranc has left in writing in the same place.

Fourth, ~~the~~ the council, and that very well attended and celebrated, etc., and, as it is called by very many, general, was held under Nicholas II at Rome, and the whole matter was so discussed and defined that Berengarius, present in person, not only abjured his heresy, but in the midst of the holy council he kindled a fire and he himself threw his own books into it; and of all these matters the same Lanfranc is a witness, who was present and very often had discussion with the Berengarians; as well as Bishop Guitmund of Aversa, who also was there (Book I, Against Berengarius).

Fifth, a council under Pope Gregory VII was held at Rome, in which the faith of the Church was declared, and since the Berengarians were unable to deny it, they took steps to corrupt and deprave it with false interpretation. Therefore that form of abjuration was prescribed in which very clearly it could be read that the bread and wine on the altar through the words of consecration are in substance converted into the true and own blood of Christ. See the proceedings of this council in Thomas of Walden, Sacraments, Volume II, Chapter XLIII.

Sixth, the council, ecumenical and very great, held under Innocent III, in Chapter I concluded the same truth and faith as follows: "There is one universal Church of the faithful, outside

of which no one at all is saved; in which at the same time the priest and sacrifice, Jesus Christ, body and blood, is truly contained in the sacrament of the altar under the forms of bread and wine, for the bread is transubstantiated into the body, and the wine into the blood by the divine power, so that to perceive the mystery of the unity we ourselves may receive of His, as He Himself received of ours.

Seventh is the general Council of Vienna, in which besides other errors of the Beghards the one was condemned that one need not rise for the sacrosanct Eucharist and reverence need not be exhibited to it; and that this error also is Calvin's and all the sacramentarians, there is no one to deny.

The eighth was the Council of Rome brought together under John XXII, in which the errors of John Wycliffe were discussed and condemned; of which errors the chief was that in which along with Berengarius he was in agreement about the Lord's Supper. The Synod of Constance, session 8, mentions this council as general and very sacrosanct.

Ninth is the council itself already cited, that of Constance, session 8, where after careful discussion of the doctrine of John Wycliffe forty-five articles were condemned; of which the first is that the substance of the bread remains in the sacrament of the altar; second, that accidents do not remain in the sacrament of the Eucharist without a subject; third, that Christ is not in the same sacrament identically and really in his proper bodily presence. That these articles are no more Wycliffe's than Calvin's and all the Huguenots no one can deny.

The tenth council, likewise ecumenical, is that of Florence, in which with the agreement of the Latin and Greek fathers, in the instruction which is handed down to the Armenians, the truth of the Catholic faith is envisaged as follows: "By virtue of the words the substance of the bread is converted into the body of Christ, and the substance of the wine, into the blood." What now will the apologist say? Will he deny that Navarre is a Calvinist? But, as he writes in that very Apology, pages 120 and 124, he Navarre protested in a meeting of Calvinist ministers at Mt. Alba in the year 1584 that he had the mind to live and die in the religion permitted by their edicts, i.e., in that religion (if still a religion it ought to be called) which fights face to face with the true religion, and which at Geneva especially under its author Calvin flourishes. Is he aware that Calvin long with Berengarius and Wycliffe obstinately and flatly denied the real conversion of the bread into the body of the Lord? But there exist complete discussions of Calvin in this opinion, not only

in the book on the Lord's Supper, but also in the Christian Institutes, Book IV, Chapter XVII. Will he dare to assert that in no general or national council acknowledged by the kings of France this opinion has been condemned as heretical? But we have adduced ten councils, some national, some even general, of which some were held in Italy, some in Germany, and some in France, and there is none of them disapproved by the most Christian kings. It is no secret to me that the Calvinists despise all these ecclesiastical judgments in the manner of the heretic, but now we are holding discussion with him who says he is the son of the Catholic Church and who in this very Apology on Page 51 called ~~the~~ canons of the Popes of Rome and the councils holy decrees of the Catholic Church. And also this one article on the Lord's Supper could be enough that we would not doubt that the Huguenots already have in the past been adjudged and condemned as heretics by the Catholic Church. But I shall not have trouble in briefly noting down the judgment of the Church concerning just a few articles.

The controversy on free will is of the kind that Martin Luther, the parent of all sectarians of this time, left in writing in the assertion of article 36 that the sum of all his doctrine is contained in this one controversy. Moreover, what his opinion on the freedom of the will was can be understood from the following which remains in writing in the same place: "The free will is a fiction in affairs and a word without substance, because no one has in his own hand to dispose of anything of good or evil, but everything (as the article of Wycliffe, condemned at Constance, correctly teaches) happens from absolute necessity." That is Luther. No one will deny that this is the opinion of John Calvin and all Huguenots, and therefore of Navarre, no one, who reads the Institutes of Calvin, Book I, Chapter XVI, and Book II, Chapters II, III, IV, and V, or the remedy to the sixth session of the Council of Trent, or lastly the response to the books of Albert Pighius on free will; surely indeed Book II of the Institutes, Chapter XXIV, Section 6, takes away free will not only in the election of those matters which have to do with morals, or religion and piety, but also of those things which (as he says) are neither just of themselves, nor vicious, and have relation to the bodily life more than to the spiritual. Moreover, it is established by the testimonies submitted that this heretical opinion clearly and not just once was condemned by the Catholic Church, and therefore all Huguenots even under this head alone are heretics, and have been by the very good law excluded and cut off from the Catholic Church.

That Bardesanes about the year of the Lord 170 was numbered among the heretics of the Church, because he denied the free will

of man, St. Augustine relates in the book on heretics, Chapter XXXV. That the Manichaeans, who arose about the year of the Lord 176, were for the same reasons adjudged heretics, St. Hieronymous testifies in the preface of the dialogues against the Pelagians, as does St. Augustine in Chapter XLVI, book on heretics. That Priscillian about the year of the Lord 390 was held under the same head to be a heretic, and was condemned by the Church in public judgment likewise St. Augustine relates in his book on heretics, Chapter LXX; as does St. Leo in his letter 91 to Turibius (reading Turibium for Turbium) and the first Council of Braga, canon 10. The same error about the year of the Lord 450 the ecclesiastical rulers among the Gauls themselves very clearly condemned in the second Council of Orange, canons, 8, 13 and 25, where we read that free will through the sin of Adam was not lost nor extinguished, but weakened and degraded, so that he could accomplish that which is pleasing to God, with the helping grace of God, because he was unable of himself.

That Peter Abelard about the year of the Lord 1140 was condemned for the same heresy by Pope Innocent II and the Council of Sens, St. Bernard says in his letter 194, and there exists a history of this matter in the third book of the life of St. Bernard, Chapter V.

John Wycliffe about the year of the Lord 1415, not only for other errors, but also for this very heresy of the freedom of the will the general Council of Constance adjudged a heretic. Since these facts exist, the reader easily understands that the author of the Apology in vain contends that Huguenots should not be held heretics because the Council of Trent by which they were condemned would not appear to be lawful. For what if the Council of Trent had never existed, would therefore so many preceding judgments of the universal Christian world be called into doubt?

But let us come to other matters. The question of original sin and the necessity of baptism is a very grave one, and it was ever in the Church, so that St. Augustine has left in writing in Book I, Chapter II, Against Julian, that this question was so great that in it consists the sum of the Christian religion. And it is not obscure what Calvin and the other Huguenots think about this matter, that is, they teach that the children of believers are born holy, and that baptism is not required for their eternal salvation; and therefore they do not have to be baptized to become holy, but because they are holy. Calvin holds this (meanwhile to pass over others) in the remedy to the Council of Trent in Institutes. Book IV, Chapter XVI, Section 26, where in clear words he pronounces that all infants do not die who depart this life without baptism. Also that this is a man-

fest, and to the infants themselves an above all pernicious heresy, has been demonstrated by so many testimonies of the Scripture, by so many decrees of councils, by so many opinions of the popes formerly against the Pelagians, that St. Augustine in Origin of the Soul, Book III, Chapter IX, with no doubt in his mind wrote: "Do not believe, do not teach that infants, overtaken by death before they could be baptized, can win indulgence for original sins, if you desire to be a Catholic; also in Epistle 28 to St. Hieronymous, "Whoever says that in Christ all children are made alive, who depart from life without participation in this sacrament, comes truly also against the Apostolic teaching and condemns the whole church."

What shall I now say on the worship of images? Who does not know that almost nine hundred years the heresy of the Iconoclasts, which, now renewed by the Huguenots, rages through the whole world with incredible fury, was condemned in the second ecumenical Council of Nicaea, and with the very complete public judgment of the whole Catholic Church? What about prayer for the dead, about the fixed fasts, about the difference between bishop and presbyter, and about matters of the same category, about which the errors of Aerius are concerned, which a thousand years before were condemned by the Church universal the most important authors testify- Epiphanius (Heresy, 75), Augustine (On Heresies, Chapter LIII), Damascene (Hundred Heresies)- and which the Calvinists can by no reasoning deny to be common to themselves with Aerius? What lastly about the heresies of Vigilantius and Jovinianus on continence, virginity, the merits and rewards of the saints, the worship of relics, invocation of the saints, the most loved of foods is it necessary to speak? Do not the Huguenots publish both by word and deed that they are sectaries of Vigilantius and Jovinianus? With what countenance therefore does the author of the Apology deny that they are heretics who he is unable to deny are Manichaeans, Pelagians, Aeriens, Priscillianians, Jovinianians, Vigilantians, Berengarians, and Wycliffists?

CHAPTER IX

But let us now imagine, so that we may come to the fourth and last point, that we have none of these matters which up to this time we have offered, and that only by the Council of Trent the opinion of the Huguenots has been adjudged to be heretical;

for what reason, I ask, will the author of the Apology annul this judgment? I really could find nothing in the whole Apology except inane clamors, but I discovered no solid argument. On page 71 only is asserted why the general Council of Trent should not be held lawful- that it seems to have been held for the purpose of dethroning the King of the French in public conventions, and preferring the King of the Spaniards to him, and because the Most Christian King prohibited the French bishops from going to this council. Then on page 90 is added the following reason-that by the decrees of the Council of Trent the jurisdiction against ecclesiastics would seem to have been diminished or taken away from the King of the French. On page 184 some few matters are repeated from the very pestilential book of Charles Dumoulin against the Council of Trent, i.e., that the pope in that synod took the duty of party and judge; that they who pressed for reformation were not heard; that the decrees of the council are not for the purpose of examining and proving the Scripture, though it is written, "Believe not every spirit, but try the spirits, whether they be of God," and "Prove all things; hold fast that which is good" (1 John 4; 1 Thess.5).. Lastly, on page 188 and following many ecclesiastical privileges of the French kingdom are brought forward which the decrees of the Synod of Trent would seem to have weakened or violated. And these are the things which not with scanty trouble and work the author of the Apology was able to get together from various sources, and marshal them as in battle array against the Synod of Trent. These matters really do not hurt the council as much as they are injurious to the King of the French himself. For what else by his lies does he fashion except that he persuades the whole world that the King of the French is a schismatic, disobedient to the Church universal, and a stranger to the association of the faithful and orthodox who adopt the Council of Trent? But never will he attain this, for the letters of Charles IX, very famous King of the French, to the Council of Trent are extant, sent in the month of April, 1562, in which he both venerates the ecumenical synod, earnestly gives reason why the bishops of France have arrived rather late at the council, and designates the spokesman who in the name of His Majesty would sit in the council, a knight of the highest degree, Lord de Lansacus, a very famous man, to whom also he attaches Renaldus Ferrius, President of Parlement, and Guy Faber, senior judge at Toulouse. But perhaps the French bishops and spokesmen of the Most Christian King came to the council, but they did not remain in the council up to the end. On the other hand in fact they were constantly there, and when in the last session all the proceedings were reviewed, they were present, and the bishops added their vote. But Henry II prohibited the

French bishops to go to the council. What at the beginning King Henry did is not here to be too laboriously and closely scrutinized; for the acceptance of the council should not be looked for at the beginning, but at the end; for he must not be said to have rejected the council in whose time the council was begun, not ended; but that one truly ought to be said to have accepted the council who saw the council ended and completed, with the bishops also of his realm cooperating, and who through his own representatives determined that the council ought to be honored at that time when all the proceedings were confirmed and ratified.

CHAPTER X

What, however, the author of this apology writes—that the Synod of Trent at the start was brought together for the purpose of demeaning the Most Christian King, is merely the figment of the imagination of a man that is not sane. Everybody has the book in which are contained the proceedings, decrees and canons of this council. The whole book should be diligently studied. Nothing of this sort will ever be found. But from the proceedings in the council itself, on the twenty-first day, in the month of July, 1563, it can be plainly seen that not only did the council attempt nothing at all which would diminish the dignity of the King of the French, but that the delegates themselves of the kings did not desire to contend about this matter in the council, lest by a controversy on this matter the course of the council be even the very least retarded; that therefore the representative from France in good harmony with all sat down very near behind the delegate from Caesar, as he wanted to, but Spain outside the order in another place. How is it that in order to remove all controversies of this type it was fortunately determined in the very first session of the council that if perchance it should happen that anyone sat down not in his own place no prejudice would therefor arise and no new right would accrue to anyone? The same thing we read repeated in session 25 when then the council was being dissolved. Therefore it is so far from the truth that, as our adversary imagines, the Council of Trent very chiefly was pointed to placing the King of France beneath the King of Spain, but rather that it was most diligently avoided that contentions about places and seats have any part in the convention, which was convoked for the purpose of explain-

ing the faith and composing most grave controversies. And why, I pray, does our opponent, who otherwise is so prodigal with words that he repeats and teaches the same things rather often, in this passage was so stingy with his words that not even one place in so great a council did he indicate where there is discussion about this controversy on seating? Or is it probable by any reasoning that the outstanding attention of the council was placed on lowering the reputation of the King of France, and yet on this very important matter, no word in the whole council exists? But I am not doing rightly in collecting arguments against an adversary who not even slightly proved what he blabbed out in rash assertion.

CHAPTER XI

Now there follows what is taken from Charles Dumoulin and which the opponent thought ought to be put into his apology—that in the Council of Trent the Pope took part at the same time as a party and a judge, though he convoked the council and in it by legates presided as judge, and yet he ~~is the~~ is the one who by the Lutherans chiefly is accused. But it is easy to remove this objection, for neither ought the Pope of Rome be deprived, nor can he be, of his right to convoke councils and to preside over them, unless first in a lawful council he is conclusively proved to be no longer the Pope. For he held that right through over 1500 years, and in the case of a supreme prince indeed it does not oppose equity that the same person be a party and judge. For a supreme prince, so long as lawfully he is not declared to have fallen from the principate, always is the judge, even if the suit be instituted in relation to himself. And that you may know that this is neither new nor alien to the laws of the Church, turn your attention for a little while to the proceedings of the ancient councils. When St. Marcellinus, Pope of Rome, offered incense to idols, and because of the crime a great council was convened at Sinuessa, no one dared to give judgment against him, but all the bishops exclaimed with one voice: "By your own mouth judge your case, not by our judgment; be not heard in our court, but in your own breast think on your case; because the prime See will not be judged by anyone." And all these matters are extant in the proceedings of the council. Also they are set down by Nicholas I, the very excellent and most learned Pope, in the letter to Emperor Michael. When Sixtus III was persistently accused by

some of the crime of adultery, he desired that a council be convened by the emperor; but the assembled bishops did not dare to take notice of the case until they had heard from the Pope that he wanted the case to be heard, though he was not uninformed that it was within his own free will even not to be judged. In the fourth council at Rome under Symmachus we read that the bishops gathered in the case of the same Symmachus openly asserted that the council could not be lawfully appointed except by the Pope, even though it be he who was being accused. Paulus Aemilius writes in Book II of the History of the Franks that Charlemagne once at Rome in a council of bishops who had convened from all Italy and France began to ask opinions in the case of Pope Leo who was claimed by certain ones to be the perpetrator of a great crime, but that the bishops in unison responded to Charlemagne that the Apostolic See, the head of all the churches, could be judged by no one; and that therefore with the acquiescence of the emperor the pope of his own accord cleared himself by oath of the crime of which he had falsely been accused. Also that we may come to the first rank councils of the church, was not Arius one time in controversy with Alexander about the faith? And still Alexander sat in the council as judge along with his other bishops. In the first synod at Ephesus did not Cyril of Alexander preside, as Celestine, Roman Pontiff, had commanded, who nevertheless was called by the Nestorians the other party of the litigants? In the Synod of Chalcedon who else, I ask, than the Pope of Rome Leo presided through legates, though still the whole case was between Leo himself and Dioscorus? In addition it happens that since in synods the Pope is not the only judge, but he has many colleagues, if in truth it should be possible to convict him of having fallen into heresy, it will clearly be possible to judge and depose him, even against his will. Therefore there is no reason why the Council of Trent would appear to less lawful because it was assembled by the Pope of Rome.

CHAPTER XII

But now what our opponent bruits about and repeats not just once- that in the Council of Trent the protestants were not heard, this is refuted first from that book which the protestants themselves brought out with the following inscription: "Reasons why the Prince electors and others devoted to the Augsburg Confession would not come to the Council of Trent." For in this

book they confess that they have been invited by the Pope to the common council to debate with Catholics about religious controversies. Then there are extant in the council itself in three places, sessions 13, 15 and 18, most ample safe-conducts for these protestants to whom liberty was granted for coming to the council for discussing, answering, and freely proposing anything else that they would desire; likewise at will to stay in the location of the council, and without any danger to leave it. What of the fact that the fathers of the council in a most friendly manner frequently invited their adversaries and appealed to them to discuss out of the word of God the present controversies, but also from these same sessions it can be seen that the definitions of the most serious questions were on account of their absence for a long time deferred; and since these are facts with what countenance can our adversaries complain that they have not been heard in the Council? For how could they be heard who never wanted to appear face to face?

CHAPTER XIII

But undoubtedly our adversaries have a great help in those words of the Apostle, "Try the spirits, whether they be of God," and in those, "Prove all things; hold fast that which is good"; of course, it will be permitted for each one to make himself a judge of the councils. But the Apostles do not speak of things certain and defined by the Church, but of new and ambiguous opinions. For otherwise, if absolutely everything must be proved whether it be of God, and until proved must not be received, then it will be permitted us to prove the spirit of the Councils of Nicaea, Constantinople, Ephesus, and Chalcedon, and what follows therefrom, that is, the heresies of Arius, Macedonius, Nestor, and Eutyches; for these will have to be recalled into controversy. And why do I mention the councils? The very words of the divine Scripture, the very declarations of the prophets, the histories of Moses, the psalms of David, the Epistles of Peter, Paul, John, James, Jude, lastly the very Gospels will have to be examined and proved; for why would it not have place in the case of these to try the spirits and prove all things? But if these matters that were once proved and determined in lawful councils are to be held explored and sure, and not in any way to be called into question again, as also the very prudent Emperor Marcian prohibits by his law, Chapter de sum. Trin & fi. cath., I Nemo, there is no reason why the ecu-

menical Council of Trent, approved by the Apostolic See and accepted with the agreement of the whole Christian world we should suffer to be called into question. Then if matters which have been adjudged and defined could be called into question, what end would there be to controversies? For if private individuals are able to examine the decrees of a council, with greater reason the council in turn will endure judgment from the censure of private men. And therefore perpetually judgments and criticisms will return into the world, and while ever the spirits are being proved there will never be anything stable and certain. But the teaching of the Scriptures is different, the opinion of them is different. When Moses in Deuteronomy 17 had said, "If there arise a matter too hard for thee in judgment, etc., then shalt thou arise and get thee up into the place which the Lord thy God shall choose; and thou shalt come unto the priests the Levites, and unto the judge that shall be in those days, and enquire: and they shall shew thee the sentence of judgment"; he did not add "Try the spirit of the priest and judge," but "And the man that will do presumptuously, and will not hearken unto the priest that standeth to minister there before the Lord thy God, or unto the judge, even that man shall die." Nor is it unlike in the Gospel when the Lord says in Matthew 13, "The scribes and the Pharisees sit in Moses' seat: all therefore that they bid you observe, that observe and do," and the Apostles said in Acts 15, "For it seemed good to the Holy Ghost, and to us, to lay upon you no greater burden than these necessary things"; and St. Paul who at some time wrote, "Prove all things," still did not desire that the dogmas of the Apostolic council be proved, but (as St. Luke writes, Acts 16) when he was going through the cities he delivered them the decrees to keep that were ordained of the Apostles and elders at Jerusalem. It should then remain that those words of the Scripture, "Try the spirit, prove all things," should not be referred (reading *referenda* for *referendum*) to the decrees of the lawful general councils, but to the revelations and teaching of private men, especially if they should appear doubtful, unheard of, and contrary to the accepted and approved teaching, or not completely consistent with and agreeing with it.

CHAPTER XIV

The last objection remains that the Council of Trent decreed many things against the liberty of the realm of France, and therefore it was not accepted in this kingdom. But this objection is

not in point, for not in this place concerning the ecclesiastical, or secular jurisdiction, but about the faith only and religion do we speak. For we proposed to show that the heresy of the Huguenots was condemned in a lawful council. Therefore in France though the decrees of the council which pertain to the Reformation have not up to now been all accepted and acknowledged, which I have not thought it worthwhile now to discuss, yet among those matters that pertain to the controversies on the faith no one can deny that the Council of Trent no less in France than in the remainder of the Christian world has been accepted. Certainly our opponent himself also confesses on page 187 that this council has been accepted by all the bishops that preside over the flocks of Christ in the whole realm of France. But who would persuade himself that there is in France one faith of the bishops, and another of the Most Christian King and the Catholic people? For how could the king be called Most Christian, if he should disagree with all the bishops in the matter of the faith? And by what reasoning would the people be related to the flocks of Christ, if it acknowledges no shepherds at all? And since these things stand thus, it is impossible that the Council of Trent was in the matter of explaining the faith accepted by all the bishops of France, but that also at the same time it was not accepted by the most religious and Most Christian King and the Catholic people of the same. But if by the bishops, by the king, by the clergy, and by the people of the kingdom the faith of the Council of Trent is adopted with the required veneration, as in fact it is adopted, surely the errors of the Huguenots, and therefore also of Navarre, were adjudged and condemned in this synod, which in the matter of the faith not only in Italy and Spain, but also in France and all the other Catholic provinces is acknowledged to have been lawful and ecumenical.

PART THREE

CHAPTER XV

We have up to now responded to those matters which the author of the Apology brought forward to prove- that Henry of Navarre, though a Huguenot, is not a heretic. It follows for us to respond to those things by which the same author strives to affirm that kings cannot be deprived by the Apostolic See of the right of succession or of power, and of their jurisdiction for the crime of heresy. At the beginning then in Part II of

the Apology, number 8, page 61, where our opponent takes up the discussion on law, he does not deny that many rescripts of the Popes and Caesars are extant, and also decrees of even general councils by which heretics are deprived of all right of succession; but he makes the exception that by all these, whether laws or canons, they were only viewed as private persons whose goods and successions were subject to political laws of the magistrates; but that the meaning about empires and kingdoms is far different. Then on page 62 he shows, as he himself at least thinks, from the divine writings that kings cannot be dethroned for any cause, because they get their realms from the hand of God, not from men. Third, on page 71 he tries to demonstrate that heretical princes should not be made to fear by means of temporal punishments, because heresy is an illness of the soul, not of the body, and therefore should be cured by spiritual, not material medicine. Fourth, he on page 112 confirms this very point by the custom of our ancestors who tolerated with equanimity the heretical emperors and kings. Fifth, on page 131 he contends that the Roman Pontiff has no power over kings and princes, and on page 156 he adds that this especially has application in the kingdom of the French where the princes enjoy the privilege that they cannot be excommunicated by either the bishops or the Pope. And so these are the matters which our adversary touches upon in his discussion almost without any order and with infinite admixed extra ornaments.

Then to begin with the first, which our opponent has assumed and has not proved, I greatly wonder at either his imprudence or malice, for since very many canonical decrees are in existence by which heretics of any grade and dignity you please are deprived of temporal goods, and these matters were not unknown to our opponent; for example, what are cited by him below on page 158; if he did not turn his attention to the fact that he very plainly in the same book was contradicting himself, he was unwise; if he did turn his attention to this, he was necessarily not honest, since he so boldly asserted that only private persons, but not princes were affected by canonical decrees. But let us recite the decrees themselves. Chapter Absolutus, extra de Heret., we read as follows: "Let them know that they are absolved from the obligation of fidelity and all obedience to the lord, whoever are bound by any pact, fortified with whatever strength, to those taken manifestly by heresy." Does not this decree pertain very especially to princes? If the peoples are released from obedience and loyalty to them, the consequence is that at the same time they are dethroned. Chapter, Excommunicamus, that title, paragraph Moneantur; again the general council approved the law in these words, and by all the orthodox it has been accepted with due veneration: "Let them be advised and per-

suaded that, if it shall be necessary, the secular powers of whatever office may be compelled by ecclesiastical censure, just as they desire to be considered and held to be faithful, so for the defense of the faith, to offer oath that from the lands subject to their jurisdiction they would be zealous in good faith in exterminating so far as a man can all denoted by the Church as heretics; thus that from now on whenever anyone has assumed power he may be bound to support this chapter. But if the temporal lord, having been required and warned by the Church, neglects to purge his land of this heretical foulness, let him be bound by the metropolitans and provincial bishops with the ban of excommunication, and if he shall disdain to make satisfaction within a year, let it be signified to the Pope, so that he from then on may announce his vassals released from loyalty to him, and he may throw open his land to be seized by Catholics, who may possess it without any contradiction after the heretics have been exterminated, and may keep it in the purity of the faith, with the safe right of the princely lord, provided only that over this he should offer no obstacle and make no opposition, and also that the same law has by no means less been observed among those that have no princely lord." So much from that source. If therefore temporal princes are deprived of their jurisdiction when they are negligent in extirpating heresy, with how much greater reason will they have to be deprived if they themselves become heretics, and in the places subject to their power try to favor and propagate heresy? To these matters are added the decrees of Gregory VII and Urban II, which are contained in Gratian, Canon, Nos sanctorum, and canon, Iuratos, 15, q.7, where are freed from loyalty those who are held bound to a prince excommunicated by the Church. Further that the intention of those who made the canons, even if in them no mention of princes were made (as in fact it is) was not that they would except kings and emperors from the common laws passed against heretics, examples and history declare. Gregory II, Pope of Rome, not only excommunicated but also deprived of that part of his empire that was in Italy Emperor Leo, heretic and iconoclast, that is, suffering from that very heresy which the adversary will not deny afflictis Navarre and all the Huguenots. For he prohibited the Italians to acknowledge him as emperor, or after that to send him any tribute, or pay him taxes. Moreover not only Cedrenus and Zonaras write this story in the life of Leo the Isaurian, but also the Magdeburg Lutherans in the ecclesiastical history, Century 8, Chapter 10. Zacharias likewise, the supreme Shepherd of the Catholic Church, when he had perceived that on account of the negligence of Childeric, King of the Franks, extreme destruction was hanging over both religion and the realm of Gaul, when asked

by the chief men of the Franks, absolved the peoples from their oath by which they were bound to Childeric, and commanded that Pepin be made king. The most ancient annals of the Franks have it thus: "Zacharias gave his own authority and ordered that Pepin be made king, and afterwards according to the sanction of the Roman Pontiff Pepin was called King of the Franks. Pope Gregory VII excommunicated and at the same time deprived Emperor Henry IV by his own decree of the empire that he had now for many years held not only for many other crimes but also chiefly for the sin of simony, which the ancients were wont to call the heresy of Simon. Of this matter all the histories are full; but let us hearken to Marianus Scotus alone, a contemporary of those times, for all of them. He writes as follows in the chronicle of the year 1075: "The Catholic men who were appointed for that time in the Church, seeing and hearing that these and other unspeakable and unheard of crimes were being committed by King Henry, like unto the zeal of the prophet Elijah zealous in the Lord for the house of Israel, having sent messengers to Rome to Alexander, ruler of the Apostolic See, complained in groaning and grieving as well by letters as in person to him about these and as many other things as possible which were said and done in the Teutonic realm by the senseless simoniac heretics under the sponsorship and patronage of King Henry. Later Gregory, having heard the just complaints and outcries of the Catholics against Henry and his crimes, now awakened with the zeal of the God, pronounced the word that the king was excommunicated, especially for simony; this act was at least to Catholic men very pleasing; but to simoniacs and supporters of the king it was too displeasing. That is what he said.

CHAPTER XVI

Since then the decrees of the Church are very clear, by which princes in case of heresy are subject to temporal penalties, even of the loss of their kingdoms and empires; let us see whether these decrees are in conformity with divine law, or whether they are rather, as our opponent contends, in conflict with it. Empires and kingdoms (says our opponent) cannot be torn from the hands of lawful lords either for heresy, or any other cause whatever, because they are gotten directly from the hand of eternal God, and not from men. Moreover he proves that this is so from the following testimonies of the divine Scriptures, "By me kings reign, etc." (Prov. 8); "to the intent that

the living may know that the most High ruleth in the kingdom of men, and giveth it to whomsoever he will, etc. (Dan. 4); and I have made the earth and man and the beast that is on the face of the earth by my power, and I have given it to whom I have desired to give it, etc. (Jer. 51); also, Fear the king, (Rom. 13); also, "I will give to you a king in mine anger," (Hos. 13); he maketh the hypocrite to reign for the sins of the people (Job 34); to which he adds the opinion of Isidore out of the decree of Gratian, "It is difficult to recall a prince to something better, if he has been delivered over to sin because the people fear the magistrate; moreover unless kings are held back by the fear of God and by the threat of infernal torments, they cast themselves into every licence and permit themselves to depart into the abyss of sin." These are, then, those very strong arguments by which the opponent thinks it is shown that realms are directly from the hand of God, and that therefore they cannot be for any reason taken away from the hands of lawful princes. Really it annoys me to dispute with such a man who neither understands dialectic, nor ever has tasted philosophy, nor reads, unless carelessly, the Scriptures, and does not even know by experience that which he professes-jurisprudence. For what, I ask, do those passages of Scripture have to do with the matter? And the testimony of Isidore? Where in the adduced testimonies is it stated that kingdoms are directly granted by God? Who ever denied that kingdoms are granted by God, that the kings should be feared, that the wicked king rushes into every licence of crime? But perchance will it therefore be understood that realms are given directly by God, and that they cannot for any reason be taken away? For if it permitted to argue thus, I would also show that whatever finally private individuals have is given directly by God and cannot for any reason be taken away from them. The words of the Apostle Paul, Acts 14, are: "Nevertheless he left not himself without witness, in that he did good, and gave us rain from heaven, and fruitful seasons, filling our hearts with good and gladness." Also in Chapter 17 the Apostle says: "God hath made the world and all things therein, seeing that he is Lord of heaven and earth, dwelling not in temples made with hands; Neither is worshipped with men's hands, as though he needed anything, seeing that he giveth to all life, and breath, and all things." Let us now according to the dialectic of our opponent understand the argument in this matter. God gives to all life, breath, food, and all things; therefore all things are directly granted by God; therefore neither for heresy, nor any other crime can men be deprived of life, or means; therefore all magistrates are unjust who punish robbers, forgers, traitors, malefactors, and other men of this type by taking away their means, or even by death.

Who will tolerate a man reasoning so absurdly and perniciously? And altogether such is the argument of our opponent.

Secondly, that the arrangements of kingdoms have their origins from human choice and the law of nations is so well known to all that not even the opponent could deny it; for not by natural law, which is directly from God, is it brought about that the human race be governed by monarchy, rather than by aristocracy, or democracy, or any other form of government; otherwise unlawful and illegal would be all commonwealths, such as we see flourish within the Catholic Church not without great praise; and where kingdoms have been set up, it has not been brought about directly by God that this family rather than that should reign, but kings have been made by the consent and will of the people, whether at the beginning of the choices by free will, which was very rare, the people transferred its rights to some grave and wise man, or, as more frequently happened, oppressed tyrannically and violently, and dominated by arms and power, little by little it began to approve the regal power of its ruler. Lest longer it be necessary for us in a clear matter to seek to digress and seek arguments, let us put forward the words of our adversary. On page 64 he speaks as follows: "The people transferred all their power into the hands of the king." If this is so, as it in fact is, not therefore directly from the hand of God, but through the resolution and consent of men are realms constituted. This we confirm from those testimonies of the Scriptures which our opponent offered for himself. That first passage, Proverbs 8, "By me kings rule, and princes decree justice," teaches that kings have from God the duty of reigning just as they have from Him that of giving just laws; further they do not have directly from God that they should give just laws, as if God would inspire them with wisdom in their sleep, as once He did Solomon, or as if He would dictate the laws; but by their own deliberation, prudence, diligence and labor, with the help of God the givers of laws decree justice. From this also the laws are termed human, not divine; from this also kings have from God to rule, because when the gift of wisdom, which in this passage especially is commended, is available for them, then at last either they arrive at ruling justly and lawfully, or they govern and control righteously a kingdom already possessed.

The second passage, from Chapter 4 of Daniel, preaches on the providence of God, where kingdoms are from time to time changed, and are transferred from nation to nation, from province to province; however the providence does not take them away, but human resolutions. Therefore God is said to do not only those things that He does directly, but also those things which, with His providence directing, or permitting, men do by their own re-

solution and labor. That is what we manifestly perceive in the kingdoms of Babylon and Assyria, of which the divine Scriptures are full; for surely Nebuchadnezzar, of whom Daniel speaks in this passage, is so far from being one that had his great realm directly from God, that not unless by his unlawful oppression of very many nations with force and arms did he arrive at that power, on account of which afterwards he also was very severely punished by God; and yet because divine providence, which knows how to make good use of even evil affairs, desired to use that wicked greed for ruling that it saw existed in Nebuchadnezzar as the rod of its fury for punishing the other nations, God is said to have granted him that very great and noble realm. In Jeremiah 27 said God, "And now have I given all these lands into the hand of Nebuchadnezzar, the king of Babylon." But as to how He gave them, hear Isaiah 10: "O Assyria, the rod of mine anger, and the staff in their hand is mine indignation. I will send him against an hypocritical nation, and against the people of my wrath will I give him a charge, to take the spoil, and to take the prey, and to tread them down like the mire of the streets. Howbeit he meaneth not so, neither doth his heart think so, etc." For in this passage we plainly see that the king of the Assyrians is said to have been sent by God to seize and plunder the province of Palestine; not that he had a precept where obedience should be praised; but because God permitted that he should realize his wish against that people that was worthy of such punishment; afterwards he also was to be punished, because with no right he had revenged himself against another province; for this follows in Isaiah, "Wherefore it shall come to pass, that when the Lord hath performed his whole work on Mt. Zion and on Jerusalem, I will punish the fruit of the stout heart of the king of Assyria, and the glory of his high looks, etc." According to the same manner must be understood those other passages in Jeremiah, Hosea and Job, offered by our opponent; that one, however, from the Apostle, "fear the king," whither does it point, I ask? Shall the king not have to be feared, unless it be understood that he be set up directly by God? Lastly that quotation of Isidore offered in the last passage effects naught else than that very powerful kings, if they wish not to be righteous, can hardly, and not even with difficulty for the most part be led to the right way, since generally it turns out that there is no one who, though they be legally condemned, could in fact force or coerce them. Not just a few examples are put forward in this very apology, as of Emperors Louis IV and Frederick II, and likewise of Kings Boleslaus of Poland and Henry VIII of England, who, though deprived by the Apostolic See of their empires and realms, yet in fact persisted in their rule and wickedness. Yet here it should not be passed over that Isidore does not write that there is no one by whom

kings can be reduced to order, but that it is difficult to recall a prince to a better way, which indeed cannot be doubted as being most true, yet it does not completely oppose our opinion. Since this is so, all that reasoning of our opponent fails—that realms are given by God, and that therefore for no reason can they be torn away from the hands of the lawful rulers. Wherefore our opponent did not prove what he wanted to, but on the contrary we have easily made proof that it is possible for lawful princes for the crime of heresy to be deprived even of a lawful principate, so that they may have no cause for complaint.

When political princes come into the Church, to become Christians, they are of course received, but with the expressed or tacit agreement that they subject their scepters to Christ, and that they may not overturn the Catholic Church, but that they should, as far as a man can, protect and defend it, and unless they should do this, they could be punished even by the loss of their realms; for otherwise he is not suitable for the kingdom of God, nor can he be safely admitted to the sacrament of baptism who is not prepared to serve Christ, and for Him give up whatever he has, since the Lord says in the Gospel of Luke, 14: "If any man come to me, and hate not his father, and mother, and wife, and children, and brethren, and sisters, yea, and his own life also, he cannot be my disciple," and again in the same passage, "Whoever he be of you that forsaketh not all that he hath, he cannot be my disciple." These passages, as St. Augustine correctly explains in Epistle 5 to Marcellinus, are to be understood to the effect that he cannot be a disciple of Christ who is not prepared rather to be deprived of his wife, children, parents, possessions, offices, and even life itself than that he should offend Christ. Secondly, since God in Deuteronomy 17 severely prohibited anyone to be made king who is not of our brethren, that is, so that he may draw away the people to the worship of strange gods; by what law would the Church be able to admit any king into its membership who would with impunity want to favor sects, to defend heretics, to overturn religion, and to demolish the Church? For this reason, for instance, St. Remigius (on the testimony of St. Gregory of Tours, *History of the Franks*, Bk. I, Chap. XXXI) when about to baptize Clovis, King of the Franks, is reported to have said, "Calmly bow thy head, O Sicamber, adore what thou hast burned, burn that which thou hast adored." Hence also it has been the custom among all Catholic kings that in the solemn inauguration they swear that they will defend the Catholic faith; therefore the Church really does no injury to kings when it admonishes them and commands them to use their political power rightly and by laws and penalties to suppress impious and blasphemous persons and especially heretics; and unless they do it, excludes them from its membership, deprives them of rule over

Catholics, and commands that faithful peoples do not obey them. And what our opponent here and there cries out does not stand in the way- that by divine mandate the peoples are obliged to obey their kings and to proffer unimpaired the loyalty confirmed by oath. For the Church does not teach that kings, so long as they are kings, should not be obeyed, but it effects by excommunication and deposition that they are not kings, and then finally it announces that the peoples are free from obedience and loyalty. For things owed by divine law to creditors ought to be paid, but if those who were creditors cease to be creditors, at the same time also the obligation owed to pay ceases. Added to those matters, our opponent says on page 17, that kings can abdicate their principates and in this way free their peoples from the pledge and allegiance given to them, and thus bring it about that they who are not obeying them do not sin against the law of God. As therefore the people do not go against the commands of God, if they deny obedience to a king who of his own accord abdicates, if to a king deposed by the Church for just cause and reduced into the status of a private citizen they refuse obedience. Further all these matters could be confirmed by many examples, but I shall content myself with one which is proper for this place and which applies very especially to the matter. No one at all denies that Childeric, lawful king of the Franks, notwithstanding the law of natural succession, the oath of fidelity and obedience which the people owe by divine law, without his consent was put off the throne and in his place another was substituted, and this the opponent himself in his apology confesses. But that this correctly and lawfully was effected they do not deny who do not wish to do a wrong to the kings of the Franks who have been in power in France from that time. But it cannot be denied for any reason; since in the first place all the ancients praise this deed who have written about this matter; secondly, a very great reason exists (as writes St. Boniface in the letter to Zacharias); on account of the idleness of Childeric and the former kings in all of eighty years there were no synods held in France, the churches were in possession of the laity and tax-gatherers, everywhere the clergy had four or five concubines at the same time, and all religion, foully trod under foot and dissipated, seemed too close to extreme destruction. Also, the authors of this act were most holy men, for he who ordered it to be done was Zacharias, a most excellent pope by the agreement of all; he who executed it was St. Boniface, bishop and martyr-who surely never would have been the authors of a public injustice and crime. Lastly, the outcome manifestly teaches that this matter was pleasing to God and most useful to all the Franks; for never was the kingdom of

the Franks more powerful, nor religion in France more flourishing than in the times of Charles and Pepin. Therefore it should be established that sometimes lawful princes can by law and rightly be deprived of their jurisdictions.

CHAPTER XVIII

Now follows, to set it forth in a few words, what we put in the third place- whether therefore heretical princes ought to be stricken with temporal penalties, because the disease of heresy is of the soul and not of the body. For our opponent says on page 71: "Besides I confirm this-that the plan of cure for this disease has not been sought in arms. Do you not know that when the discussion is on doctrine of religion, the error in religion is a disease of the soul and spirit? That therefore you investigate the spiritual medicines in curing these diseases?" Also below on page 146, what he had said about heresy he extends to the other sins that are committed against God. He says: "Moreover he who sins against God," as says Alexander Severus, "has enough to have God as an avenger. For God, the Most Excellent and Most Mighty, has reserved the whole punishment to Himself, though the sinner may offer the occasion not only of acknowledging the blame but also of reflecting upon it in this world." That is what he said. Than this opinion I think that nothing more absurd, nothing more pernicious, nothing more abhorrent to the truth could be said; for if the sins that are admitted against God Himself are to be reserved to be punished by God alone, among Christians then would perjury, sacrilege, and blasphemy be free; and not only this, but on the other hand with impunity would the churches be opened to the gods, idols made, sacrifices offered to Jove, Saturn and the other demons; and if ills of the mind are to be cured only with spiritual medicines, no sins at all would be punished by laws of the princes; for thieveries, adulteries, frauds, briberies, false testimonies, and the other crimes are not diseases of the body but illnesses and vices of the mind.

But far different is the opinion of the Holy Scriptures and of the Church of Christ. In Deuteronomy 13 says the Lord: "If there arise among you a prophet, or a dreamer of dreams, and giveth thee a sign or wonder, And the sign or the wonder come to pass, whereof he spake unto thee, saying, Let us go after other gods, which thou hast not known, and let us serve them; Thou shalt not hearken unto the words of that prophet, or that dreamer of dreams: for the Lord your God proveth you, to know whether ye love the

Lord your God with all your heart and all your soul. Ye shall walk after the Lord your God, and fear him, and keep his commandments, and obey his voice, and ye shall serve him and cleave unto him. And that prophet, or dreamer of dreams, shall be put to death; because he hath spoken to turn you away from the Lord your God, which brought you out of the land of Egypt, and redeemed you out of the house of bondage, to thrust thee out of the way that the Lord thy God commanded thee to walk in. So shalt thou put the evil away from the midst of thee. If thy brother, the son of thy mother, or thy son, or thy daughter, or the wife of thy bosom, or thy friend, which is as thine own soul, entice thee secretly, saying, Let us go and serve other gods, which thou hast not known, thou, nor thy fathers; Namely, of the gods of the people that are round about you, nigh unto thee, or far from thee, from one end of the earth even unto the other end of the earth; Thou shalt not consent unto him, nor hearken unto him; neither shalt thine eye pity him, neither shalt thou spare, neither shalt thou conceal him; But thou shalt surely kill him; thine hand shall be the first upon him to put him to death, and afterwards the hand of all the people. And thou shalt stone him with stones, that he die; because he hath sought to thrust thee away from the Lord thy God, which brought thee out of the land of Egypt, from the house of bondage. And all Israel shall hear, and fear, and shall do no more any such wickedness as this among you. If thou shalt hear say in one of thy cities, which the Lord thy God hath given thee to dwell there saying, Certain men, the children of Belial, are gone out from among you, and have withdrawn the inhabitants of their city, saying, Let us go and serve other gods, which ye have not known; Then shalt thou inquire, and make search, and ask diligently; and, behold, if it be the truth, and the thing certain, that such abomination is wrought among you; Thou shalt surely smite the inhabitants of that city with the edge of the sword, destroying it utterly, and all that is therein, and the cattle thereof, with the edge of the sword. And thou shalt gather all the spoil of it into the midst of the street thereof, and thou shalt burn with fire the city, and all the spoil thereof every whit, for the Lord thy God; and it shall be a heap for ever; it shall not be built again. And there shall cleave nought of the cursed thing to thine hand: that the Lord may turn from the fierceness of his anger, and shew thee mercy, and have compassion upon thee, and multiply thee, as he hath sworn unto thy fathers; When thou shalt hearken to the voice of the Lord thy God, to keep all his commandments which I command thee this day, to do that which is right in the eyes of the Lord thy God."

What here will our opponent say? A false opinion about God is a disease of the mind, is it, or, is it properly a sin against God to worship other gods? Also what, I ask, has God Himself judged about this kind of disease? He did not desire it to be treated only with exhortations and discussions, did He? Secondly, did not the most holy prophet Elijah in one day kill 400 false prophets (1 Kings 18)? Did not the same by divine command make Jehu and Josiah kings (2 Kings 10)? What of the fact that not only pious prophets and kings, but also the pagans Nebuchadnezzar and Darius ordered by most severe laws that action be taken against those who blasphemed the God of Israel (Dan. 3 and 6)? St. Augustine in letter 50 to Boniface writes that these clearly showed in this manner deference to the true God. What shall I say about the Christian emperors? Are not extant the laws of Constantine, Theodosius, Valentinian, Martian, Justinian, Michael, and the other very religious princes by whom the heretics now with pecuniary penalties, now with the loss of all their possessions, now with exile, now with floggings, and now with even death are punished?¹ Whether indeed laws of this kind were approved by the Church of Christ it is not possible to doubt. For to pass over the more recent decrees, at all events the first Council of Nicaea sought and obtained from Constantine that he send the heresiarch Arius along with some partners in his error into exile, as Sozomen says in his History of the Church, Book I, Chapter X, and St. Leo in Epistle 91, Chapter I, to Turibius (reading Turibium for Turbium). "Rightly," he says, "our fathers, in the times of whom this unspeakable heresy broke forth, earnestly took action throughout all the world that the impious madness be driven from the Church. Since the secular princes also detested this sacrilegious senselessness to such an extent that they laid low the author and very many of it with the sword of the public laws, and for a long time that punishment was an aid to the ecclesiastical leniency, which, though resting on sacerdotal judgment and avoiding bloody punishments, yet is aided by the laws of Christian princes, while ever do they recur to spiritual remedy who fear bodily punishment." Augustine also writes in Epistle 48 to Vincent that this is true and proved by most sure experience, where he affirms how very many Donatists came back to the true Church on account of the penalties which had been set up by the laws and edicts of the princes against

¹ Chap. On Heretics; Bk. on Manichaeans; Bk. on Arians. Bk Quinquag. Paul the Deacon, Bks. XVI, XXIV, Roman History. Augustine, Letter 166.

the heretics. But though penalties of this type were not much help to the heretics themselves, yet it cannot be denied that it would be of very great benefit to the Christian flock to keep these wolves at a distance by any means you can; for which reason St. Gregory, even though he was an excellent and very gentle pope, yet praises in Book I, Epistle 77, Gennadius, ex-arch of Africa, because he was persecuting the heretics with great zeal and he exhorts him also to continue this strongly and successfully.

CHAPTER XVIII

But now what our opponent offers in the fourth place about the custom of our ancestors who suffered the many heretics princes, as Constantine and Valens the Arians, Anastasius the Eutychian, Heraclius the Monothelite, and any others that there are, has nothing to do with the matter. For the Church ought not rashly and without consideration misuse its power; further not rarely does it happen that so great is the power, joined with wickedness and savagery, of some kings that ecclesiastical censure has no effect to coerce them, and it is very harmful to the Catholic people against whom the enraged princes are more fierce. For what, I ask, would it have once profited the Church if it had tried to excommunicate and dispossess of their thrones the Ostrogoth kings in Italy, or the Visigoths in Spain, or the Vandals in Africa, although it would have been able to do this with the very best legal right? The same thing ought to be understood about Constantine, Valens, and the others named above, seeing that those were times then that rather were set up for the martyrdom of bishops than for the coercion of kings. But when the Church saw some opportunity opening for its power, either alongwith spiritual help to the princes themselves, or at least without hurt and loss to the people, it was not wanting, as the examples adduced a little before show. For the Church adjudged that Leo the Isaurian be deprived of a part of his empire, Henry IV of all his empire, and Childeric of the realm of France, so that in fact afterwards Leo lost part of his empire, Henry all his empire, and Childeric the kingdom of France. Therefore those ancient emperors, Constantine, Valens, and the others the Church did not tolerate for the reason (as our adversary would dream) because they had lawfully succeeded to the empire, for otherwise it would have suffered through with also Leo, Henry and Childeric, who not less lawfully had succeeded, but because it was unable to coerce the former without hurt to the people, but it was able, the latter.

CHAPTER XIX

We have reached at length the fifth and last and at the same time the most important subject of the whole controversy, where the question must be briefly explained whether it pertains to the Pope of Rome, if just cause should demand, that Christian princes be deprived of kingdoms and empires by the Apostolic authority. On this question our opponent consumes a whole chapter, or Number 19 of the second part of the apology. Now that we may set forth the whole matter in order, we shall bring on first the chief and most solid argument, so that the truth of the subject may be established; second, we shall refute all those things which our opponent was able to think out and put forth on the other side. Then as to the first, this whole matter depends on two opinions; the one that the Roman Pontiff is the father and pastor of the whole Church, i.e., of all Christians; the second, that the supreme pastor of the whole Church is above not only private individuals, but also Christian kings and emperors to the extent that, if the interest of Christ and the Church should require it, he can strip them of their kingdoms and empires. For if these two reasons are true, there is no one who would not see that it forthwith follows that the Roman Pontiff utilizes his own right when he deprives Christian princes, if just cause should demand it, of their kingdoms and empires.

The first opinion the adversary would never have denied, if he had truthfully declared himself (as he mendaciously did) a Catholic doctor of both laws. For what do the laws and canons more often repeat than that there is one Roman Pontiff as the head of the whole Church, but not only in one place in this apology does our adversary deny that the Roman Pontiff has any right over the French bishops or princes; for he speaks as follows on page 93, "Since the Pope has no jurisdiction nor cognizance over the bishops of France, etc."; and on page 156, "in consequence of the right, authority and dignity of the sovereignty of our king, who no other than God recognizes in his realm, it is not lawful for the pope or bishop to excommunicate cities or bodies subject to the kingdom of the French"; and on page 157, "the pope has no power over subjects of this realm, etc." Therefore that we may convict by three most certain witnesses the incredible rashness of this pseudocatholic, who strives to make the Most Christian king and his whole realm schismatic and heretical, first we shall offer Christ Himself, second, the acts of the ancient popes, and lastly, the testimony

of the French kings and the senate of France itself. When Christ says to Peter, "Feed my sheep" (John 21), I do not think he excepted the French. Therefore if the French sheep are Christ's, they ought to be fed by Peter. But if the French have Peter as a shepherd by divine law, Peter has that right over the French which the shepherd has over his sheep, that is, that he may, in accordance with his authority, not only by his word both force them to the good pastures and keep them away from the harmful ones, but also by his crook; further the Catholic Church has always believed that Peter lives in his successor and that he is the Roman Pontiff; and to pass over innumerable testimonies, and to offer only a certain few opinions of the French doctors of the early, middle and last age for all the others- St. Irenaeus, martyr and bishop of Lyons, who lived in the early times of the Church, in the third book Against Heretics, Chapter I, writes that the first bishop of the Roman Church was the Apostle Peter; moreover, that Linus, Anacletus, Clement and others in order succeeded Peter; and he hands down in these words that therefore in the Roman Church the whole Church should unite as mother and teacher: "To this Church on account of the more powerful preeminence it is needful that the whole Church unite, that is, those everywhere that are believers." St. Prosper of Aquitaine, a most learned man, who lived in the mid age of the Church, says in Book II, Chapter VI, De vocatione gentium, "Rome on account of the priesthood has been made more important by a citadel of religion than by a seat of power"; and in the book De ingratias he says: "Rome, seat of Peter, which has become the head of the pastoral honor of the world; whatever it does not possess by arms, it holds by religion."

St. Bernard of France- if anyone is excellent and famous- who seems to belong to the last age of the Church, addresses Eugenius in De consideratione, Book II, as follows: "Well, let us more diligently search out further who you are, that is, what person you bear in the Church, you who are the great priest, the supreme Pontifex, you the Chief of bishops, you the heir of the Apostles, you in primacy Abel, in government Noah, in the patriarchate Abraham, in the order Melchisedec, in dignity Aaron, in authority Moses, in the judiciary Samuel, in power Peter, by anointment Christ, you are he to whom the keys have been given, to whom the sheep have been entrusted. There are indeed other doorkeepers of heaven and shepherds of the flocks, but you are as much more glorious as also different are both names before all others; for a heritage they have flocks assigned to them, each one a single one, to you all are assigned, the one to the one, and not only of all sheep but also of shepherds you are the one shepherd of all." That is what St. Bernard says. To him it is is pleasing to add the venerable Hugo St. Victor, likewise

French and most erudite and very dear to St. Bernard himself. He then in De offic. ecclesiasticis, Book I, Chapter XLIII, says: "He is called Pope, because he is the father of all; he is called universal, because he is over the Church universal; he is also called apostolic, because he takes the place of the prince of the apostles; he also is named the supreme pontifex, because he is the head of all the bishops. With these four French doctors, I believe, they do not disagree who are called Catholics in the kingdom of the French, and there could be no doubt that the Most Christian kings of the French would want to learn the interpretation of the words of Christ more willingly from Irenaeus, Prosper, Bernard and Hugo than from the apologetical impostor."

But let us now proceed to the public registers of the ancients and see whether in the olden times the Bishop of Rome had any right over the French. St. Cyprian in his letter 13 (68?-see Cath. Encyc. 1914, Vol. IV, p. 587), Book III, to Pope Stephen as follows: "Letters should be directed by you to the province and people living at Arles by which Marcian may be put aside and another substituted in his place," where Cyprian would not advise the Roman Pontifex that he should depose Marcian, bishop at Arles, accused of many crimes, from the bishopric, unless at that time this had been the custom of the Church—that the judgments of bishops, even French, pertained to the Pontiff of Rome. St. Leo, in letter 83, to the bishops of France says: "With us your fraternity should recognize that the Apostolic See has been consulted by priests of also your province as to innumerable relationships, and in view of the appeal of diverse cases the judgments have been either revised or confirmed." That is what he said. If the Apostolic See had no right in France, why is appeal made to it from France? Why were sometimes these judgments of the French revised by it? St. Gregory, Book IV, Letter 52, to all the bishops of France ... writes that he entrusted his authority throughout France to the Bishop Virgilius of Arles, and at the same time he orders that the more important cases be referred to the court of the Apostolic See, "so far (he says) as an opinion suitable without doubt could be rendered by us." It cannot therefore be doubted but that at this time the French acknowledged the Roman Pontiff as their supreme judge and shepherd. Pope Zacharias, of whom a little later we shall more fully speak, when he ordered King Childeric to be removed and Pepin to be made in his place, surely had some right in France. By like reasoning when Nicholas I publicly excommunicated King Lothar and his concubine Waldrada and at the same time the archbishops of Treves and Cologne, as Regino, Chronicles, Book II, Otto of Freising, History, Book VI, Chapter III, and Sigebert in his Chronicle write, plainly showed

that he had the very greatest right over the French. About Pope Gregory IV Paulus Aemilius writes in Book IV, History of the French, as follows: "The council of bishops which the sons of Emperor Louis had convened was held at Lyons, and the empire was taken away from their father. This decree was soon rescinded by Pope Gregory." Likewise pertains what Marianus Scotus writes in Book III of his Chronicle; he says: "King Louis at the order of Pope Gregory received the queen coming to meet him at Aachen." You see here, reader, that the pope at this time had the right in France both to rescind decrees and by his own command forthwith to restore to Louis the wife taken away by his sons. When Pope Hadrian IV found out that the empire of Louis the Younger was being attacked with armed force by Charles the Bald, he immediately sent letters to Charles, in which he ordered (to use the words of Aimonius, Bk. IV, Chap. XXIV) that no one should disturb the empire of Louis, that no one should divert it to himself. But if anyone should so presume, not only by the use of his own authority would he invalidate it, but also he would be bound with the chains of excommunication, deprived of the name of Christian, and placed wholly with the devil. Why, the opponent himself, on pages 165 and 166 mentions that Philip Augustus was excommunicated by Celestine III, Philip the Fair by Boniface VIII, and Louis XII by Julius II—three French kings by three Roman Pontiffs. Therefore as far as the registers of the popes are concerned, it cannot be doubted that they always had power over the provinces of France, as over all other provinces of the Christian world.

But lastly let the testimony and admission both of the French kings and princes be added. For there is no need to add here about the bishops, since there are no Catholic bishops who do not swear true obedience to the supreme Pontiff. Therefore the opponent himself on page 187 writes that the ecclesiastics in France are subject to the Pontifical monarchy. But yet how prettily this would agree with what is contained on page 93—that the Pope of Rome has no jurisdiction nor cognizance over the bishops of France, he himself should have seen. Since the chief men of the whole realm of France besought Zacharias that it be lawful by his authority to transfer the kingdom from Childeric to Pepin, as write Aemilius, Book II, and very many historians, of course they plainly confess that the Pope of Rome has over all Christians and even over the French what our adversary denies. For otherwise why did they not seek this from their own bishops? Or why did they not do without the Pope what they desired? Nay, why did they await the Pope ordering it, as Regino, Book II, and other writers say? Charlemagne, likewise King of the Franks and Emperor, often testifies to his own obedience to the Apostolic See by various proofs. But one proof now will

suffice. There is extant the privilege of the same Charles which he gave to the Church at Bremen, as found in Albert Krantz, Metropolis, Book I, Chapter VIII, as follows: "By the order of the Supreme Pontiff and the Universal Father Hadrian, likewise of Lullus, Bishop of Mainz and of all those who were present at the council of pontiffs, we have entrusted the Church at Bremen with all its appendages to Willehad, a man of approved life in the eyes of God and of His saints." Charles the Bald, King of France, ordered to cease by the letters from Hadrian II from making war against the provinces of Louis the Younger, took it hard, as writes Aimonius, Book IV, Chapter XVII, because he was prohibited from increasing his kingdom; yet he did not think that the mandate of the Pope should be despised, but on the contrary he sent an ambassador to him with letters and gifts to placate him. But what need is there for asking proofs of the Most Christian kings (reading regum for regnum), when it is well known that in the creation of new bishops by Sixtus V the fact is that the kings of the French, with the whole city looking on, through their own ambassadors offer obedience to the new Pontiff?

But because our opponent here and there is wont to bring up the regal parliament, and especially that defense that the senate of Paris offered to Louis XI for the liberty of the French Church, out of this very defense it has been pleasing to add a proof at this point. Therefore in the Preface we read as follows: "It seemed good to the Curia to collect here the cases of disputes of this kind at the same time with certain suitable remedies, in such a way that the king would perpetually remain in the obedience which a king truly Catholic and Most Christian owes to the holy Apostolic See," and below, Chapter XIX, "Before all things the Curia declares it is unwilling to detract at all from the sanctity, dignity, honor and authority of the holy Apostolic See, because rather all honor, reverence and obedience which every pious person owes to the Supreme Shepherd of the Church it has been prepared to offer; and if anything has come forth that should be changed for the better, it does not refuse to submit itself to the determination of the Church which cannot err" (Can. A recta., 24, q.1.). Certainly these words of the Senate of the realm very clearly prove the adversary to be guilty of lying and imposture. For what oftener does he contend in the whole apology than to show from the parliaments of France that the Pope has no right over the realm of France? But is not it the same Parliament itself that affirms in so many words that the King of France and all others really faithful and pious owe obedience to the Roman Pontiff? Does not the same Parliament very openly protest that it shows all reverence and obedience to the same Pontiff? Therefore the other prior opinion which we undertook to prove has now been

sufficiently established by us from the words of Christ, by the interpretation of the fathers, by the acts of the popes, and by the confessions and testimonies of the French.

CHAPTER XX

But now I should progress to demonstrating, in view of the brevity of the work that has been started, that the supreme prince of the hierarchial monarchy (which was the other opinion) has power to remove Christian kings from their jurisdictions for certain reasons. First then, though the ecclesiastical power, which resides above all in the Pope, and the political power, which except for certain other princes the Roman Emperor holds, are not only two distinct (reading distinctae for distincta) powers in limits and duties, but also are found to be meanwhile as separate (for once had no political princes, and now also there are many kings and princes outside the Church), yet when the princes are Christians and numbered among the members and sons of the Catholic Church, the two powers are so joined and harmonized with each other that they make one commonwealth, one kingdom, one family; yes, even one body; for, as the Apostle says in Romans 12, "We are one body in Christ, and every one members one of another." But in this mystical body of the Church the ecclesiastical power is, as it were, indeed the spirit, but the political, as it were, the body, as St. Nazianzen teaches in his oration to the people struck with fear and to the wrathful emperor. And this cannot be brought into controversy, since it should be well known that the ecclesiastical power is spiritual and heavenly, but the political is human and earthly; and again the purpose of the former would be eternal happiness, but of the latter, temporal peace and tranquillity; the former chiefly would rule the spirits and hearts, the latter would have its power in the bodies; the former would rest upon divine laws and heavenly oracles, the latter on civil law and that of nations; lastly the former would have as its author God directly, the latter would be derived through the law of nations and the consent of the peoples to the princes. Just as the duties of the body and mind are found separate and distinct also among the angels who have no body and the beasts who are without reason; and yet in man, because they make one personality, they are so united and harmonized that the mind is the superior, the flesh is the subject, and the mind can by its own right coerce the flesh by fasts, vigils, and other impositions, lest it impede the duties of the spirit, or even, if there be need, for attaining the end of the

spirit the latter could command the flesh to expose itself and all its possessions, even with loss of life, as we see the holy martyrs do; with like reasoning in the Church of Christ, if really there be a body, there ought to be such a great union of the ecclesiastical and political powers, and such great order between them and subjection of one to the other, that in those matters that bear on (reading ad for ac)attaining eternal salvation the ecclesiastical power would direct the political and command it, and if there be need, control and coerce it lest it impede the attainment of the proper end, even to the detriment of its power, as in this manner according to the opinion of St. Gregory, Book II, Epistle 61, the earthly kingdom is a servant of the heavenly kingdom. And since this is the situation, of course the supreme ecclesiastical prince does not wrong a supreme political prince, if he should advise him and command him to rightly use his political power, coerce the impious and blasphemous with laws and penalties, protect the Catholic faith, and take up arms against the unbelievers who are attacking the Church (reading oppugnantes for oppugnanter).

But if (reading quid for quis) he either should turn out a wolf from a sheep, and, following the heretics and sectaries, destroy the Catholic faith, or a raging ram, with disdain for the Shepherd, attack the sheep subject to him, or like a lazy and timid dog on account of worthlessness and slothfulness not dare to defend the flock of the Lord from the biting wolves; why, I ask, will not the supreme Shepherd and the one who takes the place of Christ Himself on earth be able to keep this wolf away from the flock and order the sheep not to follow him further; and to shut up the mad ram and prohibit him from thereafter leading the flock; and finally to substitute for the weak dog another one that would, as he ought, guard and defend the flock? So by this power the priest Jehoida removed (reading reginam for regionem) Queen Athaliah, who was playing the tyrant over the people, from her realm, and made Joash king, as we read in II Kings 11 and II Chronicles 23. By this power Pope Gregory II not only excommunicated Emperor Leo, who was zealous in the heresy of the iconoclasts, and was making plans to introduce it into Italy, but also denied him the revenues from Italy; as Cedrenus and Zonaras have left us in writing in the life of the same Leo. By this power Pope Zacharias transferred the kingdom of Childeric, because on account of his neglect the Catholic religion among the French was suffering not a little hurt, to Pepin and his sons, as by many testimonies we shall below show. By this power Pope Leo III restored to his kingdom through his own legates (reading legatos for lagatos) King Norda of the Umbri, who had been unjustly driven from his realm and was fleeing to him as the head and prince of all Christians, as Aimonius writes

in Book IV, Chapter XCVI, of the History of the French, and Regino, Book II, Year 808, Chronicles. By this power, lastly, Leo transferred the Empire from the Greeks to the Franks, because he had already by long experience learned that the Greeks either were not able, or were unwilling to bring aid to the laboring Church. And at the same time especially there seemed to be cause for fear, since with the Emperor Constantine blinded by the deceit of his own men, a woman would head the Roman Empire, which before had never happened.

CHAPTER XXI

There remains now for us only to refute the charges in a few words. And first from page 132 to page 137 our opponent does not offer as many arguments on his own account as he criticizes certain words and deeds of the popes. But there are almost as many lies in this criticism as words. First he criticizes the words of Paschal, who in the Chapter Significasti de Elect. writes that the councils prescribe no laws for the Roman Church, though from him he rather may receive support and strength. This opinion of Paschal, (says our adversary) the general Councils of Constance and Basle condemned as heresy, while present were Popes John XXIII and Eugenius IV. Here are three lies. First, that the Council of Constance condemned that opinion of the power of the Pope over the council with John XXIII present; for it is well known that the aforesaid John left the council before the third session; moreover that opinion was condemned in the fourth session, when neither the Pope himself nor any legate of his was present in the council. The second lie is that the same opinion was condemned by the Council of Basle as heretical with Eugenius present, since Eugenius never came to the Council of Basle, and in the thirty-third session, when strictly speaking this opinion was condemned as heretical, not only the Pope but also his legate was absent. The third lie is that this opinion of Paschal concerning the power of the Pope over councils was condemned as heretical by the Council of Constance. For that council did not completely define the matter, but only in the case of schism. But it is very true that the popes in the time of schism, when there is doubt who is the true and lawful pope, are under the general council, and therefore afterward the Council of Basle desired to define the matter completely and as Catholic truth, as is plain from the twenty-third session of the same council. But lest our opponent should be too

pleased with himself at the decree of this council, it should not be omitted, should it, that the decree was made- I shall speak with the utmost restraint-by a council without a head? Therefore it deservedly has among Catholics no authority at all. For it is a very well known and ancient rule that no councils can be ratified without the authority of the Roman Pontiff; for otherwise, if number alone of bishops makes a council (reading faceret for facere), why was it that all Catholics repudiated the Council of Rimini of 600 bishops, because the Roman Pontiff Damasus disapproved the council; but the Council of Constantinople of 150 bishops is venerated by all Catholics?(Julius I, Epistle to the East; Socrates, Bk. II, Ch. XXV; Sozomen, Bk. III, Ch. IX) See much on this matter, which for brevity we pass by, in the epistle of Gelasius I which is entitled de vinculo anathema. Besides add that this decree of the Council of Basle not only was disapproved afterwards in the Councils of Florence and the Lateran, but also was abrogated in the time of Pope Nicholas V by that of Basle continued at Lausanne, when also Amadeus, though by the authority of the Council of Basle created Pope, since the pontificate had not properly been obtained, properly abdicated.(Nicholas V, in appendix to Council of Basle). Add lastly that not at all does this discussion on the comparison of the power of the Pope and councils pertain to helping the case of our opponent. For these very people who subject the Pope of Rome to the universal council likewise desire that he be over all believers, even kings and emperors, with supreme power, as the true Vicar of Christ and the supreme Pastor of the whole Church (J.Gerson, Peter of Ailly, J.Almain, tracts on power of Church).

Secondly, the author of the apology and the untruth criticizes and strives to censure the canon, Alius, 15, q.6, where we read that the last king of the Franks of the family of the Merovingians was deprived of his authority by Pope Zacharias; he says: "The truth is that the Pope gave an advice to the nobility of France, not, however, a mandate, as very well writes William of Ockham in the book on the power of the Church." But that this very thing is a manifest lie, and that a mandate was plainly given by Zacharias, all the old historians testify, who ought rather to be believed than one Ockham, who is more recent, and has invented many things by reason of his hate for the Pope. The very old annals of the Franks have it thus. "By his own authority Zacharias granted and ordered that Pepin be made king." And farther on, "According to the sanction of the Roman Pontiff Pepin was called king." Einhard in his life of Charlemagne says, "Pepin by the authority of the Roman Pontiff was made king from Prefect of the Palace." Aimonius, Book IV, Chapter LXI, History of the Franks, says, "The Pope granted by his own authority and commanded that Pepin be made king." Regino, Book II, Chronicles,

says: "Zacharias by the Apostolic authority commanded that Pepin be made king and anointed with the oil of the holy unction." Lambert of Hersfeld, in the German History, says: "Pepin by the decree of Pope Zacharias was named king through anointment by St. Boniface." Sigebert in the Chronicle, Year 750, says: Prince Pepin by the Apostolic authority and by the choice of the Franks was anointed as king by St. Boniface and consecrated in the year 752. Again he was anointed as king by Pope Stephen." Hermann Contractus in the Chronicle, Year 752, says: "Pepin by the authority of Pope Stephen, after King Childeric had been deposed and detained, having been made king, reigned fifteen years. Marianus Scotus in the Chronicle, Book III, says: "Pope Zacharias by the Apostolic authority of St. Peter commanded the French people that Pepin who was exercising the regal power also enjoy the dignity of the title. Thus King Childeric, who ruled as the last king of the Merovingians over the Franks, was deposed and sent off to a monastery." Conrad of Ursberg in the Chronicle, Year 750, says: "Pepin by the authority of Pope Zacharias, elected to the power in the custom of the Franks, was elevated to the throne of the realm through the hands of St. Boniface." And farther on, "Pope Stephen with the sacred unction confirmed Pepin in the office of the regal dignity." Otto of Freising, History, Book V, Chapter XXII, says: "By the authority of Pope Zacharias Pepin is elected to the power." Albert Kranz, Metropolis, Book I, Chapter XIV, says: "Rightly the Pope and the King of the French aggrandized themselves by mutual good will when from the beginning this See was responsible for the house of Charles having the regal dignity."

Thirdly, he criticizes the words of Pope Nicholas III which are contained in the Chapter Fundamentum, Elect. in 6; he says: "He declared that the jurisdiction of the city belongs to the Holy See, to the exclusion of all others, not from the donation of Constantine, but because of these words, 'Their sound went into all the earth,' and from others, which he interprets according to his own judgment." Who would believe that a Catholic law expert, such as he vaunts himself to be, was either so inexperienced or so wicked, that the canons which he professes either he did not read, or with manifest lying wished to deprave? For those words, "Their sound went into all the earth," were not adduced by Nicholas to prove that the jurisdiction of the city pertained to the Pope, but for this only—that we might know that the preaching of the Apostles was general, yet in that duty of preaching the Gospel special aspects were entrusted to St. Peter, Prince of the Apostles. All this discussion Nicholas copied word for word from Epistle 89 of St. Leo to the bishops stationed throughout the province of Vienna. Therefore when our

opponent contends that this passage, "Their sound went into all the earth," is falsely explained by Nicholas, not so much Nicholas as Pope St. Leo, most learned and excellent, does he criticize. Moreover as far as the donation of Constantine is concerned, our adversary lies most openly. For these words of Nicholas in that very chapter in which the adversary denies that the Pope is supported on the donation of Constantine are: "On the fourth day of his baptism Constantine, along with all his satraps and the whole Senate, also the optimates and the whole people in the person of the Blessed Sylvester, on leaving the city, by his granting that the city of Rome should be disposed of through a pragmatic constitution by him and his successors, decreeing in the city itself a monarchy of both powers for the Roman Pontiff, declared, etc."

CHAPTER XXII

But after passing over these lies, let us come to the serious arguments. First therefore, page 137, he brings testimony against us from Innocent III, who, in the Chapter, Novit. de judic., writes, the adversary says, that he was unwilling that anything be done against the supreme majesty of the King of the Franks; and in the Chapter Per venerabilem, Qui fil. sint legit. he says, that no superior is acknowledged in temporal affairs and in the administration of his kingdom by the King of the Franks. Indeed this never is found in the whole letter; but this only- that he is unwilling to disturb or diminish the jurisdiction of the king; and that the king in his realm is the supreme temporal lord. These two matters can easily be understood from what we have said in Chapter XX. For correctly the Pope teaches that the King of the Franks acknowledges no superior in temporal affairs, because, evidently, there is no prince, whether he be a king or the Emperor, to whom the King of the Franks is subject; but that the spiritual superior, that is, the Pope, is above all kings, and also the King of the Franks himself in such a way that indeed directly he judges spiritual cases, moreover consequently administers temporal matters, as far as either may impede the course of spiritual affairs, or are necessary for promoting it, the Pope not only in these passages does not deny, but on the contrary both he himself and others both by words and deeds very frequently have taught. And not to go on further, does not the Pope in this very Chapter Novit. affirm that he is the judge between the French and the English kings? Does he not order his own legate that unless the King of the Franks either again makes

a firm peace with the King of England, or enters into a proper truce, he should not omit to proceed against him in accordance with the form given him? Does not he conclude his own letter to the Prelates of France in these words- "And therefore through the Apostolic See we command you all and in virtue of obedience we instruct you that, after the same Abbott has communicated this Apostolic mandate, you humbly receive his opinion, nay, ours more truly, and that you cause it to be observed by others, knowing for a certainty that if you do otherwise, we will heavily punish your disobedience." Therefore it is not true, as the opponent assumed in his argument, that Pope Innocent wrote that he was unwilling to attempt anything against the majesty of the King of the Franks. For this is not only not found in that letter, but it is repugnant rather to the whole letter. And much less is true what above not just once our adversary has affirmed- that the Roman Pontiff has no jurisdiction or cognizance over the French princes or bishops. For now from the letter which the opponent brought forth in his defense we have heard the complete contrary.

CHAPTER XXIII

Secondly, the apology offers the extravagant of Clement V which begins, Meruit de privil. He says, "Clement, to pacify King Philip the Fair, whom the insolence of Boniface had provoked, made invalid and recalled the declaration of that one against the realm of the Franks, and he proved by that order that this realm was not subject to his See." So he said. But is this not manifestly to lie, and to proceed by impostures, not with arguments? Where in all that extravagant is there mention of invalidation or revocation? Where is the proof that the kingdom of the Franks by this order would not be subject to the Apostolic See? But let us hearken to the words themselves of Clement. He says: "We do not desire or intend any prejudice to be generated against the king and realm through the definition and declaration of Pope Boniface VIII, of good memory, our predecessor, which begins, Unam sanctam; nor nor that through it the king and kingdom and tried and tested dwellers in that realm be more subject to the Church of Rome than they were before; but they are understood to be in the same status in which they were before the aforesaid definition and declaration, both as to the Church and as also to the king, realm, and inhabitants named above." Here of course Pope Clement teaches most truly that in consequence of the declara-

tion of Boniface no prejudice is raised against the King of the Franks, and that on account of this declaration he is now no more subject to the Apostolic See than he was before this declaration; seeing that Boniface speaks in that declaration neither about the King of the Franks nor any other certain prince; and he did not determine anything new; but he is preaching the Evangelical words and the Catholic faith concerning the unity of the Church; therefore he does not more subject to his See the Christian princes or peoples than they were subject before by the divine law. But because some desired on account of those disagreements which had come up between Pope Boniface and King Philip that the constitution of Boniface by a perverse interpretation seem to be prejudicial to the kingdom of the French, Pope Clement in accordance with a prudent plan advised and explained that in consequence of that constitution, which contained a simple confession of the ancient [reading antiquariae for antiquare] faith, begets no prejudice to the King or Kingdom of the French. But why the opponent would judge the constitution of Boniface to be insolent, I do not sufficiently perceive; for that there is one church, which is the first and outstanding point of that constitution, we have as taken from the Scriptures in the symbol of Constantinople. That there ought to be one ruler of the one church, which Boniface places in the same constitution, the unity itself of the body, the building, the ship, the flock, the bride of Christ, which all are names of the Catholic Church, clearly enough teach. That this one ruler must be understood to be the Apostle Peter and his successors, which in the third place is put in that constitution, we learn from the Gospel, as also we have above briefly indicated. That absolutely all men, even if they be kings and emperors, ought to be subject to the Roman Pontiff, and that this is necessary for their salvation, which is at the end of this constitution, rests on the same sure foundation, that absolutely all men who desire salvation ought to be joined to the sheep of Christ; and moreover Christ subjected all his sheep to Peter as Pastor and to his successors. Moreover that in this constitution are inserted the two swords that are in the Church, is taken almost word from word from the book of St. Bernard; and therefore no one can proclaim the constitution of Boniface as insolent; rather from the opinion of Bernard they would determine the very same thing, which, however, all judge to be very modest and very true. But the following are the words of St. Bernard in Book IV, De consideratione, to Pope Eugenius, which Boniface imitated: "Why do you try to usurp anew a sword, which one you ordered to be placed in its sheath? Yet he who denies that it also is yours seems to me not to sufficiently attend to the word of

the Lord when he speaks as follows, 'Put up again thy sword into his place,' and therefore it is yours and perhaps at your command, if not by your hand, it should be drawn. Otherwise, if it in no way pertains to you, the Lord also, when the apostles were saying, 'Behold, here are two swords,' would not have responded, 'It is enough', but, 'It is too much.' Therefore both the swords are the Church's, that is, both the spiritual and the material; but the latter indeed must be used for the Church, but the former also by the Church; the former, by the priests, the latter, in the hand of the soldier, to be sure, at the nod of the priest and at the command of the emperor.

CHAPTER XXIV

Thirdly, the opponent argues that the cognizance of the crime of heresy and the jurisdiction over heretics has always been ceded to the political magistrate, and to him, not to the priest, it pertains by the best law. But he proves this by the following reasoning, which I shall include in his words, lest the perchance complain that anything has been left out by us. He says: "For indeed it is necessary that the law of God be considered, first, for instance, in this age when all are forced to obey the political and temporal magistracy, by reason of the administration of human society and the terrestrial judge, to avoid confusions and quarrels; but secondly, in the next age, when God alone judges and punishes, and in respect to that He gave no magistrate to this world to avenge wrongs done Him through transgression of His mandates. For priests have been given as custodians and teachers of divine law, not judges, but as gentle physicians of the minds; and the mandates of God are not sanctions ordering punishments, but very kind warnings and advices; otherwise if we are compelled by the sword to the observance of the divine law, our merit would be very tenuous." That is what he said. He then attaches certain testimonies of the Scripture and the fathers, which at their own place we shall dispose of. Further, how foul errors, or what monsters in the Christian religion this proposal would bring forth, no one (I believe) will be so destitute of judgment as not to see, so that now the author of the apology would seem to have to be called not only a heretic, but also a new heresiarch; unless by chance he who wrote this, as St. Hieronymus says about Jovinianus and Vigilantius, may have been seized with a fit of madness and ought to be bound with the bonds of Hippocrates. But let us

answer briefly to each point. As far as the cognizance of the crime of heresy is concerned, it is indeed a matter for the political magistrate to proceed severely against heretics judged and condemned by the Church; and to judge whether anyone is a heretic or not, he who thinks this pertains to a political magistrate rather than to the Church must necessarily have read nothing at all and knows nothing at all about ecclesiastical matters. That word of St. Athanasius is noted in the epistle to those leading the solitary life, concerning Emperor Constantine who was trying to arrogate to himself the judgment in a case of faith. "When has it been heard from the beginning of time that the court of the Church has gotten its authority from the Emperor? Or whenever has this been acknowledged as a court? Before this there were very many synods; many courts of the Church have been held; but never have the fathers tried to persuade the Prince in matters of this kind, nor has the Prince shown himself to be interested in ecclesiastical affairs." And below, "Who, seeing him decreeing that he is making himself prince of the bishops and presiding over ecclesiastical courts, would not rightly say that this is the abomination of desolation that Daniel predicts? And not unlike that is what St. Martin said to Emperor Maximus who was openly wanting to take jurisdiction of the heresy of Priscillianus, as Sulpitius writes in Book I of the Sacred History—that it is a new and unheard of wrong that a secular judge should judge an ecclesiastical matter. To these things let us add St. Ambrose as the third witness, that in the mouths of two or three witnesses every word should stand; so then he said in his letter 32 to Valentinian the Younger: "But surely if we either should recall the series of divine writings, or the ancient times, who would deny that in a case of faith, in a case, I say, of faith, that the bishops are accustomed to judge concerning Christian emperors, not the emperors about the bishops? You, by the favor of God, will move forward in the maturity of age, and then you will consider this—what sort of bishop would he be that puts the sacerdotal law under the laity? Your father, a man of more mature age, was wont to say that it is not mine to judge between bishops. Now Your Clemency speaks. 'I ought to judge,' etc." Farther on: "If there is to be a contest about the faith, that conference should be of priests, just as was done under Constantine, Prince of august memory, who beforehand dispatched no laws, but left the priests a free judgment." Let us compare, if you like, the words of our apologist with the words of these three most wise fathers; he says that the cognizance of heresy has always been left to the political magistracy and pertains to it by the best law. These otherwise consistently affirm—from the earliest age this never was permitted; it was a new and unheard of wrong

thing; it is repugnant to the authority of the Scriptures and the custom of the times. Who would doubt that more credit should be given to such great and qualified pillars of the Church than to one nobody, who plainly does not know either what he is talking about nor about whom he is making statements?

But now let us examine the reasoning of this person. He assumes that if anyone should transgress the law of God, as it pertains to the peace and tranquillity of the world, he must be punished by the political magistracy; he teaches that the same law, as divine honor and friendship with God, must not be violated; if one should not observe it, he must be judged by God alone in the future time, and there is no magistrate in the world who ought to take cognizance of crimes of this kind. But who does not see that this most pernicious doctrine wars face to face with the Holy Scriptures, all human and divine law, with most manifest reason itself? Did not God under the old law command that blasphemers, the sacrilegious, idolaters be condemned and killed by the sentences of the judges? Did not Christ also with a scourge made of cords cast out of the temple all those who wronged God by making out of a place of prayer a house of merchandise? Are not the canons of the councils and popes, and also the very laws of the emperors, full of penalties and punishments against those who are sacrilegious against God by word or deeds? Augustine says in Epistle 50 to Boniface, "Who of sober mind would say to kings, 'Do not have a care by whom the church of your Lord may be defended or assaulted? It should not matter to you who in your realm would wish to be religious, or sacrilegious, with respect to whom it cannot be said to you that it would not matter who would want to be chaste, or unchaste.' " But on this very much has been said before in Chapter XVII.

What, however, the adversary adds, that priests have not been given by God as judges, but as gentle physicians for the souls, is repugnant, first, to the Apostle who says of himself, "What will ye? shall I come unto you with a rod, or in the spirit of meekness?" (I Cor. 4:21) On this passage by the rod Augustine explains in Book III, Chapter I, against the epistle of Parmenias, the judicial power is meant, and Chrysostom and the other interpretators of this passage do not differ from him. The same person says again, "I tell you beforehand that if I come again, I shall not spare." And farther on, "lest I should use sharpness, according to the power which the Lord hath given me" (II Cor. 13:2, 10). And in another place, "Against an elder receive not an accusation, but before two or three witnesses" (I Tim. 5:19), where most clearly the Apostle teaches that the bishops have their own tribunals and accusers in the custom of the judges,

give hearings to accuseds, and according to allegations and proofs announce judgments. Hence is that word of St. Gregory Nazianzen in the oration to the people struck with fear and the wrathful prince: "You do not adopt a free voice, do you, for the law of Christ has subjected you princes to my power and my tribunal? For we ourselves also command, and, I add, by a greater and more perfect power. Also those words of St. John Chrysostom in homily 83 on Matthew to his deacons: "If any duke, consul, if lastly anyone who wears a diadem should in an unworthy condition approach you, control and coerce him; you have a greater power than he." But if bishops and deacons, with such great men as witnesses, and can in consideration of their power and authority coerce even kings and emperors in those matters which pertain to God, how much more will the ruler of the whole church and the chief of all bishops have the power?

But what shall we now say about that opinion, which immediately our opponent suggests, that the divine mandates are not sanctions ordering punishments, but most friendly warnings and advices? Is anything more repugnant to all divine Scripture? For what is this but openly to deny that there is any law worthy of the name granted by God? And without any blame can whatever the Lord has commanded be violated? For it cannot be sin where only warnings and advices are violated, but not laws worthy of the name, for "where no law is (says the Apostle in Rom. 4) there is no transgression." Likewise another Apostle says, "Whosoever committeth sin, transgresseth also the law; for sin is the transgression of the law," (1 John 3) where the Greek word *avomía*, which the translator rendered by *iniquitas*, properly means transgression of the law; so that we should understand, with John as authority, that everyone that does sin breaks the law, and there is no sin where there is no breaking of the law. Shall we then admit that idolatry, perjury, homicide, adultery, thievery, false testimony, and other things of this sort, which are prohibited by the law of God, are not sins? Or rather, whatever our adversary should dream up, shall we not say that the commands of God are the truest of laws and sanctions commanding punishments, but that they are not bare warnings and advices? What of the fact that throughout the Old Testament God joined to His laws the most severe punishments, and in the New Christ proclaims except a man be born again of water and of the spirit he cannot enter into the kingdom of heaven; also whoever shall say to his brother, "Thou fool," shall be in danger of hell fire (1 John 3; Matt. 5); and further, whosoever therefore shall break one of these least commandments, he shall be called least in the kingdom of heaven? Did not the Apostles in the council of Jerusalem bear witness that they are imposing some of the burden of most true law, and not merely laying down warnings and

advises, since they write as follows: "For it seemed good to the Holy Ghost, and to us, to lay upon you no greater burden than these necessary things" (Acts 15). Lastly do not all the councils generally add the punishment of excommunication to their own canons? But the reasoning is at all events remarkable why our opponent had judged that the laws of God are mere warnings and advices and not sanctions demanding punishment. He says, for otherwise if we would be compelled with the sword to the observance of the Divine law, our merit would be very little; but just as freedom, which is required for merit, wars against external coercion, and not rather against internal and natural necessity, although the law or judge by threatening punishment perhaps will be able to coerce the members of the body, but they will be unable to coerce the will; therefore the human will, always with the help of God anticipating and accompanying it, is able to will to fulfil the law by the love of justice, and to merit glory with God. Also it is able on its own account to violate it, or certainly not to fulfil it, and to provoke against it the Divine wrath. Certainly it is coerced by the sword for the purpose of observing very many laws of God, as the Apostle says in Romans 13, "But if thou do that which is evil, be afraid; for he beareth not the sword in vain." Yet they who fulfil these laws (as is equitable) Christ has not obscurely signified obtain eternal life when He says (Matt. 19), "If thou wilt enter into life, keep the commandments." Why finally would the laws at the same time set up punishment and reward unless rightly there would be a place in the fulfillment of this law from the transgression of which punishment would deter? Therefore the law demanding punishment and the judge armed against sinners do not stand in the way of merit, but they deter from transgression.

CHAPTER XXV

Afterwards our adversary consequently adds the testimonies of the Scriptures and of the Fathers; to what purpose they pertain I hardly think that man himself knows who proposed them. First he alleges that the passage of the Apostle in II Corinthians 3: "Not for that we have dominion over your faith, but are helpers of your joy." I say that the Apostle for the sake of the faith was not the ruler of the Corinthians; for all of us there is one ruler, who created and redeemed us. However, he who has read that saying of the Apostle in Hebrews 13, "Obey them that have the rule over you, and submit yourselves"; and

"and now I praise you, brethren, because ye keep the ordinances, as I deliver them to you" (I Cor. 11); and, "having in a readiness to revenge all disobedience" (II Cor. 10)- will not deny that the ruler and pastor was in the place of Christ and in his name could make rules and punish transgressors.

Secondly, he adds that passage of II Timothy 3, "All scripture is given by inspiration of God, and is profitable for doctrine, for reproof, for correction, for instruction in righteousness"; but the adversary adds not for coercing and punishing. However, he got that negating addition not from the Apostle but from his own brain sadly lacking in sanity. For according to the Scriptures has not the same Apostle most clearly taught that shepherds are able to force their sheep into good pastures, and to keep them away from harmful ones, as well as to punish the refusers? For he says in I Corinthians 4, "What will ye? shall I come unto you with a rod, etc."; "lest being present I should use sharpness, according to the power that the Lord hath given me" (II Cor. 13); and what a little before we cited, II Corinthians 10- "and having in readiness to revenge all disobedience."

Thirdly, he proffers the testimonies of Chrysostom, who in his dialogues on the priesthood separates the regal power from the evangelical ministry, in saying that the ministry is a responsibility entrusted from God so that without arms man may be taught; however it is not a power of giving and taking realms, or of ordaining laws for the administration of the commonwealth. But Chrysostom in that passage does not deny that the Pope, if reason should demand it, can give or take away realms; but he discusses only the difficulty which the bishops undergo in taking care of their flocks, and he says that the shepherds of all irrational creatures, for whom only the corporal ills must be given attention, are easily able to care for their own sheep against their will, since it is within their power to overcome, ship up, to cut, and to burn them; and even the secular judges who govern only the external actions of the people can easily coerce the people with chains, prisons and the sword to external tranquillity and peace. Moreover a bishop who has the responsibility of curing the defects of the spirit has imposed on him a most difficult province, since no one could be cured from defects, unless he should wish it; nor by any torments could men be led to the virtues. But in that Chrysostom was not of this opinion- that a bishop could not coerce as far as rule is concerned; Chrysostom himself in Homily 70 to the people of Antioch testifies when he speaks as follows, where he is prohibiting that anyone should summon women as overseers for mourning at funerals: "May I not force them to lament real misfortunes of their own"; and farther on, "but if a thing that is not true- we should be despised, we should be compelled

to add threats in the matter, punishing you indeed with ecclesiastical laws, but them as will be suitable to them." Also in Homily 83 on Matthew, as we have likewise cited above, he advises the Deacons that they may "restrain in view of their power those coming unworthily to communion, even though they should be dukes, consuls, and emperors. When therefore Chrysostom writes in Book II, On Priesthood, that it was within the authority of bishops to proceed with their flocks by persuasion only, but not with force and civil power, he speaks, as we have said, of controlling conversion and care of souls, but not of external wickedness.

Fourthly, he adds that Hilary, who in the book to Constantine, and in another against Auxentius, writes that men should not be forced to the true faith by bodily punishment, and he seriously accuses the Arians because they are trying to win over the Catholics by exile and prison to the Arian heresy. But the solution is easy, for it is most true that no one should be compelled to the faith; nor does the Church teach that pagans and Jews could be forced to our faith, which is the one true faith, by arms and terrors. But the Church forces the heretics not to adopt the faith, but to remain in the faith which at some time they had adopted. Nor was Hilary uninformed that it had been obtained by the Synod of Nicaea itself from Constantine that Arius should be punished by exile. Further the Arians deservedly are criticized by Hilary because they forcibly conducted the Catholics to their own perfidy, since the Arians had no right against the Catholics, but on the contrary the Catholics had one against the Arians.

Fifthly, the return is made to the Scriptures, and he cites that passage from the Gospel- "Ye know that the princes of the Gentiles exercise dominion over them. . . . But it shall not be so among you" (Matt. 20; Lu. 22). But who of us has ever taught that the bishops should rule the peoples? We say that they are fathers, shepherds, governors, not rulers; though in this passage Christ seems to criticize not so much domination as the arrogance and tyranny of the rulers; since at once He added, "Even as the Son of man came not to be ministered unto, but to minister." There, when He had criticized the manner of pagan government, He set forth the form of His own kingdom, and He, though He really was master and Lord, as He Himself says in John 13, yet He was in power with humility so as rather to seem to serve and minister.

Sixthly, he adds the example of Christ, who in John 6 takes flight into a mountain, lest He be made a king, and who in John 18 said that His kingdom was not of this world; also who in Luke 12 did not desire to be made a judge between the brethren in strife; as well as in Matthew 17 He paid the tribute for Him-

self and Peter, and in John 13 He commanded the Apostles to follow His example, which they did, with the Apostles saying, "No man that warreth for God entangleth himself with the affairs of this life." But whither do all these things lead? Christ did not desire a temporal kingdom in this world, because He had been constituted an eternal king by the Father on His holy hill, and He received the heathen as His inheritance and the uttermost parts of the earth as His possession (Ps. 2). Thus also He entrusted to the Apostles and their successors not any earthly realm, but an ecclesiastical prefecture of most ample power; and though this power, as we have above shown, should properly pertain to the souls and divine and eternal matters, whence also it has been called by the name of the keys to the kingdom of heaven, still it may extend itself to earthly matters and corporal, when the cause of the faith, the safety of religion, or the salvation of souls demand it. Therefore it does not involve itself in secular business where it touches on secular business for the present age, but for eternal happiness. Otherwise the Apostle would have involved himself in secular business when (I Cor. 7 and I Tim. 5) he gave precepts concerning the performance of the duties of marriage, the marriage of adolescents, of widows, and the procreation of children.

Seventhly, he proffers the passage from the Apostle, "Let every soul be subject to the higher powers" (Rom. 13), in which place he says that Chrysostom that no one at all is exempt from this law, whether Apostle, or evangelist, priest, monk, or any other of that sort. But the testimony of the Apostle greatly favours our case. That opinion is general and most true that absolutely all owe obedience to the higher power. But because that power is twofold, spiritual and temporal, ecclesiastical and political, the one of which belongs to the bishops, the other to the kings, the bishops ought to be subject to the kings in temporal affairs, and the kings to the bishops in spiritual affairs, as copiously Gelasius I in his epistle to Anastasius and Nicholas I in his epistle to Michael discuss. But since the Bishop of Rome not only is an ecclesiastical prince, to whom all Christians are subjected by divine law, but he is also in his province a temporal prince; nor does he acknowledge any superior in temporal affairs, as do not the remaining absolute and supreme princes in their jurisdictions and realms; hence it would be that he would have no power above himself on earth, and as to the higher power, according to the precepts of the Apostle all Christian kings and princes would owe subjection to him as the higher power. From this is that passage of St. Bernard to Emperor Conrad, Epistle 83, "I have read, 'Let every soul be subject to the higher powers,' This sentiment I wish you would observe in exhibiting reverence to the Vicar of Peter, just as you desire it to be observed for yourself by the whole empire."

CHAPTER XXVI

He arrives lastly at the examples of the Popes, who, while they plainly profess themselves subject to the kings, at the same time teach that they are unable to command the kings. In the first place he brings forward Boniface I, who besought the Emperor Honorius to order that the Roman Pontiff be not selected through electioneering, or by any illicit method (Can., Ecclesiae, dist. 97). But what has this to do with the matter? At that time Honorius was ruling in the West, and the Pontiff did not have these temporal powers within himself to be able to meet the popular seditions which accompanied the election of the same bishop and were born from it. Therefore he asked the Emperor not to permit the elections to be disturbed, but to restrain the factious and ambitious men with the imperial power, for which reason also the Roman Pontiffs afterwards conferred the right of selecting the same Pontiff on Charlemagne. But not from that was the Emperor over the bishop, or could judge him because he presided over his election. For it is one thing to designate a person to have the pontificate, and another thing to have power over a pontiff already created.

In the second place he brings forth certain acts of Odoacer, King of the Herulians, who was reigning at Rome during the pontificate of Symmachus; But let us hearken to his words. "Excellent laws were enacted by Odoacer himself and were accepted through the ecclesiastics in the Church, until he was beaten by Theodoric the Visigoth" (Can. Bene quidem, dist. 96). I do not know what here to decide about our opponent, whether he was dreaming when he was writing these things, or was purposely alleging testimonies against himself, so that he could indicate that he was of unsound mind; because the whole of the canon, Bene quidem, cited by him is taken up with abrogating the power of the political magistracy. For these are the words of that cited canon taken from the Council of Rome under Pope Symmachus: "This document could obligate no bishop of the city of Rome, because it did not permit the laity to have any power to make determinations in the Church, except the Bishop of Rome; and the necessity of obeying remains to them, not of the authority to command." And below: "The holy synod said, though following the persecution of our venerable brethren Laurentius, Peter, Valerius, Cresconius, Maximus, or Stephen, it is not an uncertain matter among us that this document is of no moment; yet even if it could persist by any reasoning, by all means through the prudent opinion of Your Beatitude it was fitting that it be weakened in the synodical convention, lest it should remain as an example to any laity at

all of presuming, even though religious, or powerful, in any state in any manner at all to decide anything about ecclesiastical powers, the responsibility for disposing of which is unbrokenly taught to have been entrusted to the priests alone. These matters that synod at Rome under the presidency of Symmachus did not hesitate to lay down against the law published by the patrician Basil, vicar of King Odoacer then ruling in the city itself. In this way therefore was he not asleep, or was he not insane who put forth the decree of that synod to prove that the excellent laws of Odoacer were accepted by the Church? Also in that he called Theodoric, the successor of Odoacer, a Visigoth instead of an Ostrogoth, and some other extant more petty minutia, I am easily enduring in silence.

In the third place he proffers the example of Pope Pelagius I as follows: "Pelagius I made a profession of his faith and gave an oath into the hands of Rufinus, whom Childeric, King of the Franks, had sent as ambassador (can. Setagendum, 25, q. 1). Here the opponent seems to interpret this canon to the effect that Pope Pelagius swore obedience to King Childeric; for it had to be proved by him that the Roman Pontiff's once were accustomed to offer subjection and obedience to kings. But it is very far from the meaning of that canon. King Childeric desired to know the opinion of Pope Pelagius on the Catholic faith. Therefore through a representative he asked him either to write out his faith for him, or at least to signify that he approved the tome of St. Leo. The Pope did both; for he signified that he approved in all respects the tome of St. Leo, and also he set forth in his own words his faith, lest (as he says) any occasion of evil suspicion should be harbored in the minds of men. This is the whole meaning of that canon, in which there is no mention of an oath delivered into the hands of Rufinus, none of subjection, none of obedience to the king. This is the good faith in which our law expert is wont to allege the canons.

Fourthly, he offers the example of Leo IV, who he writes confirmed with an oath that he would observe the laws of Lothair, and that he asked the same Lothair to promise that a certain deacon of the Church at Rieti would be made a bishop; also that before Louis, the son of Lothair, he defended himself against the charge of treason (Can. de capitulis, dist. 10; can. Reatina, dist. 63; can. Nos si incompetenter, 2, q. 7). But all these matters have a very easy solution. For in that canon de capitulis Pope Leo does not swear, as the adversary lies, that he will observe the laws which Lothair with Pope Eugenius present promulgated, and which are related in the first book of the fiefs; seeing that neither indeed do those feudal laws pertain to the popes, nor is any mention of them made in the canon de capitulis, nor is an oath of the pope written in that canon; but Pope

Leo only promises that he will take care that both the laws of the emperors and also of the popes would be observed, in which sentiment also John VIII speaks (can. Vides, dist. 10). As far as the Church at Rieti is concerned, it should not seem remarkable if the pope should not desire to ordain a bishop without the consent of Caesar, since at that time the privilege was in force that Pope Hadrian had granted to Charlemagne, to the effect that no bishop would be created whom Caesar had not approved, as may be seen in the canon Hadrian., dist. 63. Lastly, as far as the clearing of Leo before Louis is concerned, it is well known that the Pope of his own accord subjected himself to the discretionary court, as they say, not to the coercive court of the emperor, which even before that Leo III and Sixtus VI had done, who, relying on their own innocence, wanted their cases to be examined, and therefore were cleared on their own testimony without the opinion of any superior judge.

Fifthly, he offers the example of Honorius III, Chapter I, de juram. cal., where the Pope says that the imperial law on the swearing of the clergy must be observed. But what is remarkable, if the Pope any law to be observed which especially pertained to the honor of the clergy? For the law was this—that clerks or monks should not be compelled to make oath in any public court. But why did our opponent not point out on this chapter the following—that the Pope showed himself a judge of the laws when he declared and extended them by his own authority?

Sixthly, he offers the examples of the old law by which he says that he wishes to stop up the mouths of all his adversaries. He says: "Let them look most diligently into the sacred Scriptures to see what authority the kings and princes of Israel had over the priests and other ecclesiastical administrators of the divine law, from which authority nothing has been taken away in this time of grace of ours. In any event they will perceive that their power was very great against these churchmen." But I in my scrutiny have found not just a few things that will stop up his mouth. For in Numbers 16 the prince and all the people are ordered to come in and go out at the word of the priest Eleazar. In Leviticus 4 are described four kinds of sacrifices, from the order and dignity of which rightly the interpreters gather the order and dignity of the persons for whom these sacrifices were being offered. The first was the sacrifice of the bull calf, than which none was greater; and it was for the priest alone, as for a person most worthy of all. The second likewise was a bull calf, for the whole synagogue. Third, was a goat, which is lower and more abject, for the king. Fourth, and lastly, a she-goat, the lowest and most abject, was sacrificed for any private

person. From this Philo, the most learned of the Hebrews, in his book on victims, Theodoretus, q. 1, on Leviticus, and Procopius of Gaza in his commentary on Leviticus 4 confirm that the priest was higher and greater even among the Hebrews. In the book of Joshua, Chapters 14, 17, 19 and 21, always when the priest and the prince, Eleazar and Joshua, are mentioned the priest is named first and the prince second. What about this (as we above have briefly noted) that Jehoida the priest ordered Queen Athalia to be dethroned not only on account of tyranny but also on account of corrupted religion, and that Joash be put in her place? For those words of the divine Scripture testify that Jehoida accomplished this affair not by advice and exhortation but plainly by commanding. Also the captains of hundreds acted according to everything which the priest Jehoida had instructed them (II Kings 11).

Seventhly, he adds the example of the Apostle Paul, who to place his own words before you when he was accused by the Jews, "acknowledged that the cognizance of his case of heresy pertained to Festus, vicar of Caesar, and for this reason he called his own accusers before the imperial majesty (Acts 25)" Who would not laugh at such an absurd interpretation of the Scriptures? Would not therefore Paul the Apostle constituted as a judge of the Christian faith a pagan plainly ignorant of this same religion, nay, even a mocker? Ambrose was not willing to permit the cause of Christ to be discussed in the palace of Emperor Valentinian, who however was professing himself a Christian, lest by chance some pagan might be sitting among the judges and should score a triumph over Christ, if he should make a judgment on the faith of Christ (Epistle 92). Also the great Athanasius did not hesitate to call Constantine Augustus the Antichrist, because he had dared to preside in a council of priests; and would the Apostle Paul have referred the cause of Christ of his own accord to a pagan emperor as if to a lawful judge (Epistle to those leading the solitary life)? Therefore he did not plead his case about the faith and heresy but about sedition and tumult raised among the people, first before Felix, secondly, before Festus, and lastly before Nero as judge. For his accusers also (Acts 24), were saying, "We have found this man a pestilent fellow and a mover of sedition among all the Jews throughout the world and a ringleader of the sect of the Nazarenes: who also hath gone about to profane the temple"; but Paul answered, "There are yet but twelve days since I went up to Jerusalem for to worship. And they neither found me in the temple disputing with any man, neither raising up the people, neither in the synagogue nor in the city: etc. (Chap. 24). . . . Neither against the law of the Jews, neither against the temple, nor yet against Caesar, have I offended anything at all."

Also, the Romans themselves were not such imprudent judges that they wanted to judge about these matters which they did not understand. Therefore Gallio, the deputy at Achaia, (Acts 18) answered the Jewish accusers of Paul as follows: "If it were a matter of wrong or wicked lewdness, O, ye Jews, reason would that I should bear with you: ~~But~~ if it be a question of words and names, and of your law, look ye to it: for I will be no judge of such matters."

Eightly, he refers to the History of Africa by Optatus, as he says that the prefect Marcellinus was sent by the Emperor Honorius against the Donatists. But he betrays in this matter his own lack of knowledge, for our opponent seems to have taken the history of the Carthaginian conference by Franciscus Baldwinus, because Optatus is frequently cited in it, as if the whole history was by Optatus himself. But no history of Africa by Optatus is extant, but only some books against Parmenianus; and in these books he does not mention, nor was it possible to be mentioned about Marcellinus being delegated by Honorius in the case of the Donatists, since he wrote those books in the pontificate of Symmachus, as he himself says in Book II. Moreover, the delegation of Marcellinus was made after the death of Symmachus and of his successor Anastasius, while Innocent I was pope, that is, in the year after the consulship of Varo, as can be understood from the proceedings of that conference over which Marcellinus, delegated by Honorius, presided. Further, that the tribune Marcellinus was designated by the Procurator in the case of the Donatists is nothing against our case, for as St Augustine writes in Book XV [or XIII, microfilm is indistinct] Chapter I, Against Julian- that was not an ecclesiastical court, in which the faith was to be explained, but an extraordinary sitting, and undertaken for a certain requirement, since the Donatists were infecting all Africa; and it was not possible otherwise to restrain them, or to force them into discussion except through the temporal power. Therefore Marcellinus never wanted to sit like a judge; nor give any opinion except what was like a public testimonial by which it was signified that Donatists in a discussion with the Catholics were so inferior that finally they had nothing with which they could make answer. See Augustine in his summary of the conference.

Ninthly, he puts forth from Augustine, Tract 2 on John that at some time the tribune Dulcitus was ordered by the Emperor that he should take action against the Donatists. But there is no controversy about this; for we deny that it is a judgment concerning the faith made by temporal princes, but we most freely concede that heretics judged by the Church, such as then were these Donatists, and such as are the Lutherans and Huguenots, should be punished by the temporal princes.

Lastly, his whole Chapter XIX, and including his whole discussion, he closes with the remarkable testimony of St. Ambrose who in Epistle 32 says that the prefect Dalmatius was sent to him by the Emperor in order that he might come to a council to be held in the palace with the Emperor as judge. But if this is not acting like an impostor and abusing the inexperience of the crowd, I do not know whatever will be. Ambrose indeed writes that he was called to this council, but he also writes that he by no means desired to go, even if it be at the danger of his head. For the following are the words of Ambrose in that letter to the Emperor Valentinian: "Dalmatius, tribune and secretary, has visited me, by the mandate, as he alleged, of Your Clemency; asking that I also select judges, just as Auxentius had selected them; still he did not give the names of those who had been summoned. But he adds this, that in the consistory there would be a future certification with the judgment of Your Piety being the arbiter. To this I respond, as I think, becomingly, and no one should judge me contumacious when I offer this which your father of august memory not only answered in his conversation but also sanctioned by his laws- that in a case of faith or of an ecclesiastical order that man ought to judge who is neither unsuitable to the responsibility nor dissimilar in right. For the following are the words of the rescript, i.e., "priests about priests he desired to judge," and farther on, "Oh Most Merciful Emperor, When in a case of faith have you heard laymen to have judged a bishop?" And still farther on, "Who would deny that in a case of faith bishops are wont to judge Christian emperors, and not emperors the bishops?" Also later on, "If the faith is to be discussed, this conference ought to be one of priests." That was his statement.

CHAPTER XXVII

But though we have diligently discussed these matters which our opponent either to the point, or beside the point had brought forward against the authority of the Roman Pontiff, yet a small doubt remains to be removed, which perhaps would accomplish not just a little of the business in hand by some rather simple measures. So then, on page 156 the adversary writes that the bull of Martin V is cited by Molinaeus, by which the privilege was granted to the Franks that the king, officials, corporations and communities of his subjects could not be excommunicated by the pontifex, or by any bishop you will. But that this bull does not oppose the ordering of the right, which the popes nearly always are wont to observe, he proves from the extravagant of

John XXII, which begins: Frequentes de iudic., where the Pope writes that a privilege could be given to anyone by the Apostolic See so that he could not be excommunicated by anyone. By this reasoning also Eugenius IV says in the extravagant Divina de privil. Francis (which pronouncement the opponent adds on his own, for Eugenius did not name the Franks, but gave the privilege generally) that he granted to those following the Roman court that it was not permitted any bishop to give a sentence of excommunication against them. But lastly he adds that he does worry much about the bulls and privileges of the Roman court, since from the right, authority, and dignity of the majesty of the King of the Franks it comes that he acknowledges no superior but God. To this proposal very many solutions can be advanced. First, not easily will be shown any such bull by which it may be signified that the princes of the Franks cannot be excommunicated by the supreme governor of the Church. Secondly, if such a bull can be shown, it should without doubt be so explained that we should understand that those princes could not be excommunicated unless the privilege that was given them would be revoked by the Pope; for the Pope cannot bind the hands for a future Pope, since an equal has no power over an equal. To this purpose speaks John XXII in the extravagant that the opponent cites. For he gives a sentence of excommunication against even those who perchance had had a privilege from the Apostolic See of not being excommunicated, unless about this privilege of theirs a special mention should be made. Further, in cases of the Faith all privileges cease, and there is no one, prince or private individual, who for heresy cannot be excommunicated and afflicted with the other penalties imposed against heretics. On this matter are extant the very famous testimonies of Urban IV and likewise Clement IV, in the letter which begins, Prae cunctis, etc., and of the same Clement the chapter Ut officium de Heret., in section 6, Denique, where, after much evidence concerning the power of the inquisitors had been mentioned, this small clause is added: "Notwithstanding any privileges and indulgences granted to any persons of whatever condition, dignity, or degree, religion, or order, to communities or universities of states and places specially or generally under whatever expression or form of words by the aforesaid See, or to be granted in the future, since we would desire that no obstacle in consequence of this or other kinds of either privileges or indulgences be interposed against us in such a great work of piety." But if the adversary, having despised the letters and decrees of the Popes, is exerting himself only on account of the regal majesty and authority, by which right he contends that the King of the Franks and his leading men cannot be excommunicated, by the same law he must affirm that likewise other kings who acknowledge over themselves no temporal power equally cannot be excommunicated. For why, privileges aside, should the emperor

and the kings of England, Poland and Denmark, or any other supreme prince be subject to the Apostolic See of Rome any more than the King of the Franks? But that Emperor Theodosius, the most powerful monarch of the world, was excommunicated justly on account of the slaughter of the Thessalonians, and Arcadius, son of Theodosius, likewise Augustus, on account of the expulsion of Chrysostom from his see, and Emperors Zeno and Anastasius on account of the heresy of Eutyches, and for other crimes Kings Henry of England, Sweyn of Denmark, and Boleslaus of Poland, the adversary confesses on page 164 and following. If therefore, as the adversary testifies, the supreme dignity and majesty of the most powerful kings and emperors were not able to protect them from the ecclesiastical curse, will a lesser, or not greater dignity and majesty, be able to protect the King of the Franks or his subjects? What of the fact that imprudently, and warring with himself throughout his whole work, the adversary affirms this very fact about the King of the Franks on page 161 and following? This in the same place and on a previous page he affirmed about other kings and emperors. For he mentions that Lothair, Dagobert, Philip Augustus, Philip the Fair and Louis XII had once been excommunicated. And clearly, if the things are true which we have above related from the Gospel, the commentaries of the holy fathers, and from the testimonies themselves of the kings and leaders of the Franks concerning the power of the Roman Pontiff over absolutely all the faithful and even the Franks themselves, whether princes, or private individuals, or ecclesiastics, or laymen, which certainly cannot be false, no reason can be imagined why the same Roman Pontiff would not be able, if circumstances should demand it, to excommunicate any prince whatsoever.

PART FOUR

CHAPTER XXVIII

Now at last reasons must be brought forward why it ought to be considered not only not safe, but even most dangerous, or rather evidently and in most extreme degree pernicious if a heretic should be elevated to the throne of a kingdom in the provinces of the Catholics. Then first I affirm that where the king is a heretic, there neither kingdom nor religion can be lasting, just as they should for a certainty persuade themselves who take thought about accepting a heretic king that they are consulting at the same time about destroying kingdom and religion. If the ancient histories should be unrolled three new and great kingdoms

will be found to have been established at almost the same time—the Vandals in Africa, the Goths in Italy, and the Franks in Gaul. The kingdom of the Vandals, under the sponsorship of Genseric, was established in Africa, which had kings that were heretics and which raged most cruelly against the Catholic Church, and it could be held by only six kings. For although it was very powerful and spread far and wide, yet because God punishes wrongs against true religion it was a little afterwards so completely destroyed and torn up from its deepest roots that scarcely a memory of the Vandals has been left in Africa. The kingdom of the Goths, founded under the sponsorship of Theodoric in Italy, was at its beginning so flourishing in power and resources that hardly in any respect was it less than the Roman Empire. It had kings that indeed were less uncatholic, inhuman, and yet Arians; and therefore it could not be stable and firm. For hardly eight kings had held the scepter in Italy when all the Goths to a man were expelled from Italy, or were in Italy annihilated and destroyed. Only the kingdom of the Franks is left, which was able to sink very deep roots and to persist now for so many ages because right from Clovis it with the singular blessing of God deserved to have most Christian kings and worshipers in the Catholic religion and defenders of the Church of Rome. Although the empire of the Romans was neither founded by heretics, nor could be overturned by them, yet no one who has read history will deny that while the Catholic princes were ruling it most strongly flourished, and on the other hand it was by the heretics at one time or other led into extreme peril. Concerning the Catholic Emperor Constantine St. Augustine speaks as follows in Book V, Chapter XXV, of the City of God: "God filled with more earthly blessings the Emperor Constantine who worshiped him as the true God than anyone dared to hope for. As the one Augustus he held and defended the whole Roman world. In planning and carrying on wars he was most victorious; in crushing tyrants he prospered in every respect. At an advanced age he died of sickness and senility, and he left sons ruling." Similar things could be said about Theodosius, Charlemagne, Otto I and many others. On the other hand Constantius, a supporter of the Arians, was compelled to leave the empire in the flower of his age without an heir, consumed with a grieving heart rather than with disease, to his enemy against whom he was preparing war (Socrates, Bk. II, Chap. XXXVII). Emperor Julian, impious deserter of the Christian faith, stricken from on high in the very beginning of his reign, was denied even an ordinary burial, and not only did he die miserably, but also he lost almost his whole army and brought a very great loss to the Roman Empire (Gregory Nazianzen, Oration Against Athanasius). Emperor Valens, addicted beyond measure to the Arian heresy, basely beaten in battle by the Goths, was burned alive, and he led the Eastern Empire into such

straits that it hardly could be kept alive and preserved even by the incredible virtue (Rufinus, Bk.II, Chap. XXIII) of the Catholic religion and Prince Theodosius (reading Catholicæ religionis principisque for Catholici religionisque principis). The emperors of the East, from the time when on account of the heresy of the iconomachists they began to separate from the Church of Rome, always more and more diminished in strength and powers and were forced to give way to the most savage tyranny of the Turks. And no truer cause can be given why the Turks were able so easily to invade and occupy Asia, Africa and Greece except that the schisms and heresies which were flourishing in those places, and even today flourish, merited that most horrible and most just punishment from the Lord. Why any more? The histories should be diligently read and re-read; not easily will one find that any realm that was governed by heretic princes was ever able in happiness to be continued, or at any time to be kept going for a relatively long time.

CHAPTER XXIX

But it would be too little if only the temporal kingdom, and not also true religion, which alone leads to the blessed and eternal life, would be brought into difficulty by heretical princes. Most true is that sentiment, "As is the ruler of the city, so are the dwellers therein," and that of the poet, "The whole world is made after the image of the king." Hence, for instance, in the times of the Jews, when David, Hezekiah, Josiah, and other pious kings lived, then true religion everywhere was cultivated by all. When Jeroboam erected the idol, the greatest part of the realm was led down to worshiping idols; and after the salvation of the coming of Christ, while the pious Constantine was ruling, the Christian religion was flourishing, and everywhere idols were deserted. When Constantius the Arian was reigning the whole world was groaning, to use the words of St. Hieronymus in the dialogue against the Luciferiani, and was astonished that it was Arian. Under the rule of Julian the Apostate idolatry revived, and countless men, who had enlisted for Christ, deserted Christ for Belial, in order to please the impious king. To pass over ancient happenings, did not within a few years in our own age, while Edward VI was reigning in England, almost the entire kingdom leave Christ for Calvin? Again, while Mary was on the throne, did not the whole realm return to Christ and the Church? Again, while Elizabeth was reigning, did not Calvinism begin to rule and true religion to be banished? In the other parts of the Christian world I do not know whether you would find

one heretic prince in whose jurisdiction the Catholic religion would be publicly followed and be vigorous. Therefore is he mistaken who thinks that, with a heretic king, the Catholic religion can for a long time be kept safe.

CHAPTER XXX

Therefore not only does religion perish with heretic kings, because very many follow the example of the king, but also because so savage and furious is the raging of the heretics against the Catholics when it is joined to supreme power that it suffers them to exist nowhere. What in the Old Testament King Ahab and his wife Jezebel, with the zeal of false religion, did against the worshipers of the true God those words of the prophet Elijah testify: "they have thrown down thine altars, and slain thy prophets with the sword; and I, even I only, am left; and they seek my life to take it away" (I Kings 19). Further, with what slaughters by the Emperors Constantius and Valens, and not long after by the Arian Kings Genseric, Hunseric and Trasimundus the Catholics were exhausted surpasses belief; and unless these things had been committed to writing in letters by most holy, excellent men who lived at that time, that is, Athanasius, Peter of Alexander, Gregory Nazianzen, Rufinus, Victor of Vita (reading Vicensi for Vticensi), they could seem utterly incredible. In the life of St. Anthony the great Atanasius says, "After two years the savage madness of the Arians broke forth; then were there plunderings of the churches, then heedlessness of the divine vessels, then pollutions of the mysteries by the polluted hands of the pagans. Oh, what crime! The mind shrinks to tell the things that were done- the chastity of the virgins and matrons violated, the blood of the sheep of Christ, poured out in the temple of Christ, sprinkled the venerable altars. What place," he says, "is left that does not carry the marks of their savagery? What church does not mourn their treacheries?" And farther on, when he had enumerated the exiles and chains of very many bishops, even the torments and deaths of some, these things are added: "There was to be seen after the week of Easter virgins thrust down into the dungeon, bishops bound and led by the soldiers, homes of widows and orphans plundered, Christians snatched away at night and their homes sealed up, brethren of the clergy in defense of their brethren called away into danger." Still farther on, "He was driving the virgins, with the flaming fires of the funeral pyre ever closer, to the confession of the Arian religion; and then when he saw them invincible he stripped them naked, and he killed them in such a manner that at a time not very long afterward they could not be recognized by

their own people. Moreover he caught and lacerated forty men by a new method; for he beat their backs with palm branches still retaining their thorns, to such lengths that some were rather often treated by the doctors in vain on account of the spines too tenaciously sticking in them; and others, not being able to bear the treatment, sought death." Also he went on, touching upon the cause of all these things in a word, he says: "Seeing that these had a zeal, following Ahab, if it were anyway possible to do away with truth." This is what Athanasius said about those foul deeds which under the support of Constantius the Arians perpetrated against the Catholics. Peter of Alexandria, successor of Athanasius in the Episcopate, accurately describes the tragedies which the same Arians stirred up in the time of the Emperor Valens in a letter which according to the words of his history Theodoretus inserted in Book IV, Chapter XX. In that letter besides other matter he tells that those (i.e., the presbyters and deacons of the Church) he began to compel to forsake the ancestral faith handed down by the Apostles to us through the succession of the fathers, and he affirmed that the most clement Emperor Valens will be delighted with this procedure. Finally in the raising of his voice to a high pitch he brings forth the following: "O ye wretched, you obey, you assent to the Arian doctrine, for certain persuaded that, if you submit to his doctrine, you will get money, wealth and honors from the emperor; but, on the other hand, if you resist, then imprisonments, tortures, investigations, beatings, and crucifixions must be undergone by you." Farther on, after he had mentioned many a cruel example, he adds the following: "Oh the savage cruelty of him who judges, nay indeed, of him who condemns. For they who strive in defense of piety endure judgment with murderers alike; and their bodies remain unburied; also they who strenuously fight for the Faith are thrown to the wild beasts and vultures to be devoured; while they lastly who have pitied the fathers of the slain for the sake of conscience are killed with the sword as impious authors of crime. What law of the Romans, what sentence of the barbarians has taken vengeance against those who have consoled with the parents of the slain! Where, indeed, was such a crime of the ancients ever perpetrated! These are the things that I tell, indeed incredible, dire, monstrous, barbarous, without pity, bitter; yet the madly insolent Arians have gloried in them and danced for joy. For since all the city was in grief and mourning (indeed, there was not a house, as was written in Exodus, in which no dead lay) those cruel minds could in no way be satisfied and were not quieted, but went on to do crime anew." So said Rufinus in his Ecclesiastical History, Book II, Chapter III. About the Arian Bishop Lucius, who likewise supported by the assistance of the emperor, wretchedly ravaged the Catholic Church, he adds the following: "Lucius, as an incitement to cruelty

offered to him, acted most savagely toward the others and went into blood to such an extent that not even any appearance of religion seemed to be preserved. With his first entry such extensive and base actions were taken against the virgins and celibates of the Church that the like are not recalled in the persecutions of the pagans. Then after the flights and exiles of the citizens, after the slaughters and torments, and the flames with which he destroyed many, he turned the arms of his fury against the monasteries. He devastates the desert and declares war on the quiet. Three thousand men, or more, at one time, dispersed in secret and solitary habitation throughout all the wilderness he proceeds in like manner to assault. He sends an armed band on horse and on foot. He selects tribunes, commanders and generals, as if about to fight against barbarians. And when they had come, they saw a new kind of war- that their enemies offer their necks to the sword, and say nothing except, 'Friend, for what have you come?' " That is what Rufinus said.

Gregory Nazianzen in his oration against the Arians and on his own account deploras certain other crimes perpetrated by the Arians under the Arian king as follows: "Oh ye altars that we love, as the Divine writings say, but now stained with ignominy, what about the shameless youth basely humming and weaving their bodies in insults to you? Oh the modesty and propriety of the nuns which are not even able to bear the sight of modest men, who has disgraced you also with even those parts of the body which it is wrong to see and has displayed to the eyes of impious men, a wretched spectacle and one to be punished with the fire of Sodom? For I pass over killings more tolerable than this disgrace. What about the wild beasts that we have loosed against the bodies of the saints, which indeed they did who sullied and destroyed human nature charged with only one crime, that is, that they did not assent to impiety? What about the flesh of the prelates likewise, with other initiates being present and unable to offer any assistance except tears, that was torn with fingernails? With Christ crucified? Having gained the victory in their suffering? Sprinkling the people with their precious blood? Led away at last to death? With Christ buried and crowned with glory with Him? What about the elders then that fire and water, their natures opposing each other in turn, reach, when they suffered a new and unusual conflagration on the sea, as they were consumed with the ship on which they had set sail?" This is what he said who in these last words very covertly signified the unheard of type of punishment by which eighty venerable men who had been sent as legates by the orthodox to the emperor, and who were shut in a ship which had been set on fire in the midst of the waves, the prefects of the Emperor Valens burned up. But all these things which have been told up to this time can seem tolerable and gentle, if with them are compared what Victor of Vita (reading Vitensis for Vticensis)

writes was done by the kings of the Vandals for the sake of propagating the Arian faith. In the first book he tells the following about Genseric when he says: "By no means did he delay to order the Vandals that they should completely drive out the bishops and noble laymen from their churches and dwellings." And farther on, "A great crowd of the clergy were robbed and placed naked in unsound ships whom he directed be driven out." Still farther on, "The priests and outstanding men, with their churches and fortunes gone, are now met with, unless they are begging that the means of habitation be granted to console the people of God. To these with rabid words through a messenger he responded: 'I have decreed concerning your name and kind to let none go, and do you dare to ask such things?' And these the same hour he wanted to sink in a neighboring sea, if he were not asked now for a long time by his own people not to do it." And farther on: "He spreads terror with deadly mandates, so that in the midst of the Vandals our people could not even breathe, and no place was ever afforded for the wailers for prayer or sacrifice. Again farther along: "He orders that the servants of God with feet tied after having run four abreast backwards over the thorny parts of the forests in like manner die, so that the bodies of the innocents (reading innocentium for innocentum), as they are led and re-led, may be eaten up by the sharp points of the wood, and so that, bound as they are, they may look upon, as they go, their own ends." And below: "At a certain time the paschal solemnity was being celebrated, and when at a certain place that is called the palace on the day of the paschal sacrifice our people were opening the Church which had been closed to them the Arians discovered them. At once a certain elder of them, Audiet by name, having gathered a band of armed men to himself, is stirred up to assault the crowd of innocents. They enter with drawn swords, they lay hold of their arms, and also some mount the roofs and through the windows of the church they scatter arrows; and then perchance as the people of God were singing a reader standing on the pulpit was singing a sweet alleluia when an arrow struck him in the throat, and as the book fell from his hands he himself fell dead after it. Now also others, very many, are proved to have been killed with arrows and javelins at the foot of the altar. And those who were not then killed with the sword, afterward weakened by punishment, were almost all killed by orders of the king, especially those of mature age. At another place when the people of God were worshiping, entering with the greatest rage, they spilled the body and blood of Christ on the floor and trampled it with their polluted feet." Moreover Victor at the beginning of his second book describes likewise the first events of the reign of Huneric, who had succeeded Genseric, as quite moderate and gentle against the Catholics, but as it could not be that the spirit of Satan, with which the heretics are filled, could long

suffer the Catholic Church of Christ to be in peace, it added a little later the persecution of Huneric against the Catholics, which was much heavier than ever than ever it was under Genseric. He says: "With what rivers of tears shall I go on, when he destined to desert exile the bishops, elders, deacons, and other members of the Church to the number of 4,866"; and then in the whole second and third books the same author tell of the unheard of and almost unbelievable punishments with which in the whole reign of the Vandals the Catholics were most cruelly afflicted. These things, therefore, and not otherwise they should expect who allow a Calvinist king to be placed over them, unless we believe that the spirit of Calvin is gentler than was once that of the Arians. But the Anglican tragedies proclaim otherwise- the exiles, imprisonments, yokes, and those horrible slaughters which in the year 1562 the Calvinists in many parts of France and in 1572 in Belgium perpetrated. Who does not know how many sacred churches, how many monasteries, how many districts, how many towns the Calvinists devastated and plundered! In how many places they overturned the altars and profaned the sacred vessels! The images of Christ and of the saints they broke up, and the relics of the saints they dug up, burned up, and threw into the streets and sewers! How often did they strew on the ground the very body and blood of Our Lord, trample it under their heels, throw it to the dogs, and seek it with the torturing little balls. But what shall I say of the horrid and monstrous killings! Did they not cut the infants in half, as once did the Arians! Did they not flay the faces of the priests! Did they not cleave their heads in half at a blow! Did they not wear the lobes of the ears of the ecclesiastics for necklaces and collars! Did they not slowly uncoil and draw out the viscera of some while still alive and watching it! Did they not assail very many, bound to stakes, with missiles for sport! Did they not throw many headlong into very deep wells or at other places into the deepest valleys! Did they not bury some even alive! Did they not in the foremost city of the Cenomaniori force a certain priest to eat a shameful part of his own body that had been cut off! And a little afterward while he was still alive and breathing did they not open his belly, because they said they wanted to ascertain whether the human stomach would digest eatables of this sort! Did those most monstrous beasts nearby Orleans, when several ingenuous boys were hiding in the tower of a church for fear of the Calvinists burn them up with the church, and throw some back into the fire who had escaped through a window- a most wretched sight! Do not all these and many more other events have today living eye-witnesses? Do they surpass all the cruelty of the barbarous tyrants, of the monstrous wild beasts, and I would say nearly of the infernal demons? But if the Calvinists have done such things under lesser princes and those who are held

¹Reading in eremi exilium for ad Erenum in exilium. See Patrologia Latina, Year 435, Vol. 58, Col. 168. 249.

back with a certain fear of the king, what, I ask, would they do if they should see as the supreme prince and most powerful king a man of their own sect? And if with such great slaughter they have raged against the Catholics when they had no defeat from them, what, when they could be glutted with the blood of the Catholics, would they do when the memory of the day of St. Bartholomew returns to them? They to whom it pertains should have seen the toils and calamities of neighboring England, and learning thereby they should diligently consider whether it would happen in their own case if they should get a heretic, and a heretic Calvinist, as king.

CHAPTER XXXI

But there is another reason why under a heretic prince the Catholic religion could not be safe. For if perchance any should be remaining who neither the example of the king would draw along to heresy, nor any power of the enemies of the faith would compel to go into exile, yet they, who by necessity would be very few, of their own accord would desert their native land and seek voluntary exile, both that they may obey the laws of the Church, which advise shunning heretics, and so that they may not have to see face to face the miseries of their native land, and lastly lest with peril to their own souls they have converse with the enemies of God. They hear Paul warning that a heretic should be avoided (II Tim. 3; I John); they hear John teaching that those that are such neither are to be admitted to the home, nor should they be greeted; they hear Leo, endowed with the spirit and the authority of the Apostle, preaching as follows: "Shun the viperous conversation with the heretics. You have nothing in common with those who, opposing the faith, are Christian in name only" (Sermon 28, on the passion of the Lord). They hear Cyprian preaching: "Moreover our most dear brethren should strongly turn from and avoid the words and conversation of those whose words eat as the canker, etc." (Bk. III, Epistle III, near the end). Likewise, "No business relations should be had, they should mingle in no intercourse or conversation with such, and at the same time they are as separate from them as they are exiles from the Church." Again, "No association of faith and faithlessness can exist; he who is not with Christ, he who is the adversary of Christ, he who is the enemy of unity and peace cannot be closely connected with us."

They hear that the great Anthony (Athanasius on Life of St. Anthony), that remarkable pillar of the Church of God, never spoke kind words to the heretics, but even was accustomed to instruct

his disciples that they must not even go near heretics; not otherwise than we fear to approach them that suffer with the pest; for heresy is a pest especially pernicious; it adheres to words, it adheres to books, it is breathed in by simple conversation. Therefore since they well know all these things and since they do not doubt that the true faith is the greatest gift of God, a singular treasury and the fountain, origin and the foundation of all good things, they prefer to be bereft of their native land rather than their faith, and to be despoiled of their earthly patrimony rather than to be excluded from the kingdom of heaven. Really, with what state of mind would the true sons of the Catholic Church obey and cherish him as king whom they would not be able to receive in their homes since Christ prohibits it through his Apostle? By what formula of favorable greeting would they be able to honor him whom even if they met him on the road the Apostle does not permit them to give a simple salutation? With what testimony of conscience would they offer him the oath of fidelity whom they do not doubt to be a rebel against God, an exile from the Church, a deserter of the Christian forces? With what eyes would they behold the inauguration and anointing of him as king when they know he laughs at all ceremonies and rites of this kind, and that the solemn oath to defend the Catholic Church either he will not undertake, or he will not observe, since, indeed, he swore from his heart as a Calvinist that he would fight the Catholic Church of Rome with all his strength, which he desires to be overturned, and always has fought? Therefore it is no wonder if under a heretic king the Catholic religion cannot for a relatively long time be kept up, since either all Catholics go over into heresy, to enter into the favor of the king, or by the same king they are punished by imprisonment, exile, and death, or they of their own accord change their country by exile.

CHAPTER XXXII

SUMMARY OF THE WHOLE DISCUSSION

It has seemed good here at the end to place the summary of the whole discussion in three syllogisms, so that all may understand that the exclusion of Henry of Navarre from the right of succession to the throne of France has been shattered by the most sure and even incontrovertible demonstrations.

First Syllogism

All Huguenots are heretics;
Henry of Navarre is a Huguenot;
Therefore Henry of Navarre is a heretic.

Second Syllogism

- b. Henry of Navarre is a heretic.
All heretics are lawfully cut off from the right of succession to realms by the Apostolic See;
- a. Henry of Navarre has been lawfully cut off by the Apostolic See from the right of succession to the realm of France which he was claiming..

Third Syllogism

- b. Henry of Navarre, as a heretic, has been lawfully deprived by the Apostolic See of the right of succession to the kingdom of France, which he was claiming.
- a. All those that receive as rulers those who have been adjudged heretics and deprived of the right to rule by the Apostolic See prove themselves too little zealous of religion and kingdom, not to say, traitors.
- c. Henry of Navarre therefore cannot be welcomed to the crown, unless by those who want to be considered as too little zealous of religious and kingdom, not to say, traitors.

The proposition of the first syllogism has been demonstrated by certain arguments in all the second part of our discussion. The assumption of the same syllogism is conceded by the adversaries, which, to be sure, Henry himself approved by words and deeds.

The assumption of the second syllogism is the conclusion of the preceding syllogism, and therefore it does not need new proof. The proposition of the same syllogism has been sufficiently proved in the whole third part of our discussion..

The assumption of the third syllogism, since it is the conclusion of the second syllogism, does not require other proof.

The proof of the same syllogism has been demonstrated in the whole fourth part of our discussion.

END. TO GOD THE PRAISE!

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